

CHAPTER 3 SHORELINE DESIGNATIONS

3.1 Introduction

The intent of assigning shoreline designations to specific geographies is to encourage development that will enhance the present or desired character of the shoreline. To accomplish this, segments of shoreline are given a shoreline designation based on existing development patterns, natural capabilities and limitations and the aspirations of CITY/COUNTY. The shoreline designation classification scheme is intended to work in conjunction with the comprehensive plan and zoning.

Management policies are an integral part of the shoreline designations and are used for determining uses and activities that can be permitted in each shoreline designation. Development regulations specify how and where permitted development can take place within each shoreline designation and govern height and setback.

3.2 Authority

Local governments are required under the Washington State Shoreline Management Act of 1971(RCW 90.58) and the Shoreline Master Program Guidelines (WAC 173-26) to develop and assign a land use categorization system known as “environment” designations for shoreline areas as a basis for effective Shoreline Master Programs.

The method for local government to account for different shoreline conditions is to assign shoreline designation to each distinct shoreline section in its jurisdiction. The shoreline designation assignments provide the framework for implementing shoreline policies and regulatory measures for environmental protection, use provisions, and other regulatory measures specific to each shoreline designation.

3.3 Shoreline Designations **[This might be unique to each jurisdiction]**

The CITY/COUNTY classification system consists of seven (7) shoreline designations that are consistent with and implement the Washington State Shoreline Management Act (RCW 90.58), the Shoreline Master Program Guidelines (WAC 173-26) and the CITY/COUNTY Comprehensive Plan. These designations have been assigned consistent with the corresponding criteria provided for each shoreline designation. In delineating shoreline designations, the CITY/COUNTY aims to assure that existing shoreline ecological functions are protected with the proposed pattern and intensity of development. Such designations should be consistent with the policies for restoration of degraded shorelines. The seven shoreline designations are:

- 1) Aquatic;
- 2) Natural;
- 3) High Intensity;
- 4) Shoreline Residential;
- 5) Urban Conservancy;
- 6) Rural Conservancy – Residential; and
- 7) Rural Conservancy – Resource Lands

3.3.1 Aquatic

3.3.1.1 Purpose

The purpose of the "Aquatic" shoreline designation is to protect, restore, and manage the unique characteristics and resources of the areas waterward of the ordinary high-water mark.

3.3.1.2 Designation Criteria

Assign an "aquatic" shoreline designation to lands waterward of the ordinary high-water mark and wetlands.

3.3.1.3 Areas Designated

The Aquatic Shoreline Designation applies to areas as shown on the Official Shoreline Map and described herein:

- PLACEHOLDER

3.3.1.4 Management Policies

In addition to the other applicable policies and regulations of this Program the following management policies shall apply:

1. New over-water structures should be allowed only for water-dependent uses, public access, recreation, or ecological restoration.
2. Encourage multiple or shared use of over-water and water access facilities to reduce the impacts of shoreline development and increase effective use of water resources.
3. On navigable waters or their beds, all uses and developments should be located and designed to: (a) minimize interference with surface navigation; (b) consider impacts to public views; and (c) allow for the safe, unobstructed passage of fish and wildlife, particularly species dependent on migration.
4. Permitted in-water uses must be managed to avoid impacts to shoreline functions. Unavoidable impacts must be minimized and mitigated. Allow only in-water uses whose impacts can be mitigated to assure no net loss of ecological functions.
5. Shoreline uses and modifications should be designed and managed to prevent degradation of water quality and natural hydrographic conditions.
6. Encourage development of a variety of opportunities for the public to access water bodies. Public access opportunities should be compatible with the existing shorelines, water body uses, and environment.
7. Aquaculture practices should be encouraged in those waters and beds most suitable for such use. Aquaculture should be discouraged where it would adversely affect the strength or viability of native stocks.
8. Structures and activities permitted in the Aquatic Shoreline Designation should be related in size, form, design, and intensity of use to those permitted in the immediately adjacent upland area. The size of new over-water structures should be limited to the minimum necessary to support the structure's intended use.

9. Natural light should be allowed to penetrate the Aquatic Shoreline Designation to the extent necessary to discourage predation and support nearshore habitat unless other illumination is required by state or federal agencies.

3.3.2 Natural

3.3.2.1 Purpose

The purpose of the "Natural" shoreline designation 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 restoration of degraded shorelines within this environment is appropriate.

3.3.2.2 Designation Criteria

Assign the Natural Shoreline Designation to shoreline areas if any of the following characteristics apply:

- The shoreline's ecological functions are intact and have a high opportunity for preservation and low opportunity for restoration;
- The shoreline is generally in public or conservancy ownership or under covenant, easement, or conservation tax program, or contains little or no development, or is planned for development that *would not have significant adverse impacts to ecological functions or risk to human safety* (part of Ecology criterion that should be included);
- There are no active agriculture, forestry or mining uses;
- The shoreline has a high potential for passive public recreation and is planned for park or open space uses as part of the comprehensive plan or could be planned or platted for cluster development; or
- The shoreline is considered to represent ecosystems and geologic types that have high scientific and educational value.

3.3.2.3 Areas Designated

The Natural Shoreline Designation applies to areas as shown on the Official Shoreline Map and described herein:

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3.3.2.4 Management Policies

In addition to the other applicable policies and regulations of this Program the following management policies shall apply:

1. Any use that would substantially degrade the ecological functions or natural character of the shoreline area should not be allowed.

2. Scientific, historical, cultural, educational research uses, and non-motorized passive recreational uses may be allowed provided that ecological functions remain intact.
3. Vegetation should remain undisturbed except for removal of noxious vegetation and invasive species. New development or significant vegetation removal that would reduce the capability of vegetation to perform normal ecological functions should not be allowed.
4. Uses that would deplete physical or biological resources or impair views to or from the shoreline over time should be prohibited.
5. Only physical alterations that serve to protect a significant, unique, or highly valued feature which might otherwise be degraded or destroyed or are the minimum necessary to support a permitted use should be considered.
6. Signs should be limited to the following types: interpretive, directional, regulatory, and public safety.

3.3.3 High Intensity

3.3.3.1 Purpose

The purpose of the "High Intensity" shoreline designation is to provide for high-intensity water-oriented commercial, transportation, and industrial uses while protecting existing ecological functions and restoring ecological functions in areas that have been previously degraded.

3.3.3.2 Designation Criteria

Assign a High Intensity Shoreline Designation to shoreline areas within incorporated municipalities and urban growth areas if any of the following characteristics apply:

- The shoreline has low to moderate ecological function with low to moderate opportunity for restoration;
- The shoreline contains mostly industrial, commercial, port facility, mixed use or multi-family residential development at high urban densities and may contain resource industries that are not designated agriculture, forestry, or mineral resource lands in the comprehensive plan;
- The shoreline is planned or platted for high intensity uses in the comprehensive plan;
- The shoreline has variable potential for public passive or active water-oriented recreation where ecological functions can be restored; or
- The shoreline has very low scientific or educational value.

3.3.3.3 Areas Designated

The High Intensity Shoreline Designation applies to areas as shown on the Official Shoreline Map and described herein:

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3.3.3.4 Management Policies

In addition to the other applicable policies and regulations of this Program the following management policies shall apply:

1. Encourage development to locate in already-developed shoreline areas with the goal of achieving full utilization of designated high-intensity shorelines.
2. When an existing non-water-oriented use vacates a shoreline location, first priority should be given to replacing it with a water-oriented use.

3.3.4 Shoreline Residential

3.3.4.1 Purpose

The purpose of the "Shoreline Residential" shoreline designation is to accommodate residential development and appurtenant structures that are consistent with this chapter. An additional purpose is to provide appropriate public access and recreational uses.

3.3.4.2 Designation Criteria

Assign a Shoreline Residential Shoreline Designation to shoreline areas inside incorporated municipalities and urban growth areas if any of the following characteristics apply:

- The shoreline has low to moderate ecological function with low to moderate opportunity for restoration;
- The shoreline contains mostly single-family or multi-family residential development at urban densities and does not contain resource industries;
- The shoreline is planned or platted for residential uses in the comprehensive plan;
- The shoreline has low to moderate potential for public passive or active water-oriented recreation where ecological functions can be restored; or
- The shoreline has low scientific or educational value.

3.3.4.3 Areas Designated

The Shoreline Residential Shoreline Designation applies to areas as shown on the Official Shoreline Map and described herein:

- **PLACEHOLDER**

3.3.4.4 Management Policies

In addition to the other applicable policies and regulations of this Program the following management policies shall apply:

1. The scale and density of new uses and development should be compatible with sustaining shoreline ecological functions and processes, and the existing residential character of the area.

2. Public access and joint use (rather than individual) recreational facilities should be provided with multi-family and multi-lot single-family residential and recreational developments.
3. Access, utilities, and public services to serve proposed development within shorelines should be constructed outside shorelines to the extent feasible, and be the minimum necessary to adequately serve existing needs and planned future development, subject to stormwater regulations where applicable.
4. Public or private outdoor recreation facilities should be provided with proposals for subdivision development and encouraged with all shoreline development if compatible with the character of the area. Priority should be given first to water-dependent and then to water-enjoyment recreation facilities.
5. Commercial development should be limited to water-oriented uses. Non-water-oriented commercial uses may only be permitted as part of mixed-use developments where the primary use is residential; provided that, such uses should provide a substantial benefit with respect to the goals and policies of this Program such as providing public access or restoring degraded shorelines.

3.3.5 Urban Conservancy

3.3.5.1 Purpose

The purpose of the "Urban Conservancy" shoreline designation 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.

3.3.5.2 Designation Criteria

Assign an Urban Conservancy Shoreline Designation to shoreline areas within incorporated municipalities and urban growth areas if any of the following characteristics apply:

- The shoreline has moderate to high ecological function with moderate to high opportunity for preservation and low to moderate opportunity for restoration, or low to moderate ecological function with moderate to high opportunity for restoration;
- *The shoreline has open space, floodplain or other sensitive areas that should not be more intensively developed* (part of Ecology criterion that should be included);
- The shoreline is not highly developed and is likely in recreational use. *The shoreline has the potential for development that is compatible with ecological restoration* (part of Ecology criterion that should be included). They may contain (a) Master Planned Resort(s) or may contain resource industries that are not designated for agriculture, forestry, or mineral resource uses in the comprehensive plan;
- The shoreline is planned for Park, Open Space or Master Planned Resort in the comprehensive plan;
- The shoreline has moderate to high potential for public passive or active water-oriented recreation where ecological functions can be maintained or restored (Note: part of

Ecology criterion states that *The shoreline is suitable for water-related or water-enjoyment uses*); or

- The shoreline has moderate to high scientific or educational value.

3.3.5.3 Areas Designated

The Urban Conservancy Shoreline Designation applies to areas as shown on the Official Shoreline Map and described herein:

- **PLACEHOLDER**

3.3.5.4 Management Policies

In addition to the other applicable policies and regulations of this Program the following management policies shall apply:

1. 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 result in restoration of ecological functions should be allowed if the use is otherwise compatible with the purpose of the Urban Conservancy Shoreline Designation and the setting.
2. Public access and public recreation objectives should be implemented whenever feasible and when significant ecological impacts can be mitigated.
3. Thinning or removal of vegetation should be limited to that necessary to (1) remove noxious vegetation and invasive species; (2) provide physical or visual access to the shoreline; or (3) maintain or enhance an existing use consistent with critical areas protection and maintenance or enhancement of shoreline ecological functions.
4. Primary permitted uses should consist of low intensity uses that preserve the natural character of the area or promote preservation of open space and protect critical areas.
5. Public access and public recreation facilities are a preferred use if they will not cause substantial ecological impacts and when restoration of ecological functions is incorporated.
6. Low intensity water-oriented commercial uses may be permitted if the specific uses and design result in substantial open space, public access and/or restoration of ecological functions and if compatible with surrounding uses.

3.3.6 Rural Conservancy - Residential

3.3.6.1 Purpose

The purpose of the "Rural Conservancy - Residential" shoreline designation is to protect ecological functions, conserve existing natural resources and valuable historic and cultural areas in order to provide for sustained resource use, achieve natural flood plain processes, and provide recreational opportunities. Examples of uses that are appropriate in a "Rural Conservancy - Residential" shoreline designation include low-impact outdoor recreation uses, water-oriented commercial development, and low-intensity residential development.

3.3.6.2 Designation Criteria

Assign the Rural Conservancy – Residential Shoreline Designation to shoreline areas outside of incorporated municipalities and urban growth areas if any of the following characteristics apply:

- The shoreline has moderate to high ecological function with moderate to high opportunity for preservation and low to moderate opportunity for restoration or low to moderate ecological function with moderate to high opportunity for restoration;
- *The shoreline is supporting human uses but subject to environmental limitations, such as properties that include or are adjacent to steep banks, feeder bluffs, or flood plains or other flood-prone areas* (part of Ecology criterion that should be included);
- The shoreline is not highly developed and most development is low-density residential but may contain *low-intensity* (per Ecology) resource industries that are not designated agriculture, forestry, or mineral resource lands in the comprehensive plan;
- The shoreline is planned or platted Rural Center, Rural Residential, or Master Planned Resort, Parks/Open Space;
- The shoreline has moderate to high potential for public passive or low-intensity water-oriented recreation where ecological functions can be maintained or restored; or
- The shoreline has high scientific or educational or *unique historic or cultural resources* (part of Ecology criterion that should be included); value.

3.3.6.3 Areas Designated

The Rural Conservancy – Residential Shoreline Designation applies to areas as shown on the Official Shoreline Map and described herein:

- PLACEHOLDER

3.3.6.4 Management Policies

In addition to the other applicable policies and regulations of this Program the following management policies shall apply:

1. Uses in the "Rural Conservancy – Residential" Shoreline Designation should be limited to those which sustain the shoreline area's physical and biological resources and do not substantially degrade ecological functions or the rural or natural character of the shoreline area.
2. Water-oriented commercial uses should be allowed in rural centers and master planned resorts only.
3. Water-dependent and water-enjoyment recreation facilities that do not deplete the resource over time, such as boating facilities, angling, hunting, wildlife viewing trails, and swimming beaches, are preferred uses, provided significant adverse impacts to the shoreline are avoided and unavoidable impacts are minimized and mitigated.
4. Developments and uses that would substantially degrade or permanently deplete the biological resources of the area should not be allowed.

5. Residential development standards shall ensure no net loss of shoreline ecological functions and preserve the existing character of the shoreline consistent with the purpose of the Rural Conservancy – Residential Shoreline Designation.

3.3.7 Rural Conservancy – Resource Lands

3.3.7.1 Purpose

The purpose of the "Rural Conservancy – Resource Lands" shoreline designation is to protect ecological functions, conserve existing natural resources and valuable historic and cultural areas in order to provide for sustained resource use, achieve natural flood plain processes, and provide recreational opportunities. Examples of uses that are appropriate in a "Rural Conservancy – Resource Lands" shoreline designation include low-impact outdoor recreation uses, timber harvesting on a sustained-yield basis, agricultural uses, and other natural resource-based uses.

3.3.7.2 Designation Criteria

Assign the Rural Conservancy – Resource Lands Shoreline Designation to shoreline areas outside of incorporated municipalities and urban growth areas if any of the following characteristics apply:

- The shoreline has moderate to high ecological function with moderate to high opportunity for preservation and low to moderate opportunity for restoration or low to moderate ecological function with moderate to high opportunity for restoration;
- *The shoreline is supporting human uses but subject to environmental limitations, such as properties that include or are adjacent to steep banks, feeder bluffs, or flood plains or other flood-prone areas* (part of Ecology criterion that should be included);
- The shoreline is not highly developed, consisting of *low-intensity* (per Ecology criterion) resource operations (farming, forestry, mining) and recreation but may contain (a) Master Planned Resort(s);
- *The shoreline has low-intensity water-dependent uses* (part of Ecology criterion that should be included);
- The shoreline is planned or platted Rural -5, -10,-20, rural Commercial, Rural Industrial, Forest, Agriculture, Agri-Wildlife, Mining, Parks/Open Space according to the Comprehensive Plan;
- The shoreline has a moderate to high potential for passive or low intensity water-oriented recreation where resource industry-related safety concerns are minimal or mitigated and ecological functions can be maintained or restored; or
- The shoreline has moderate to high scientific or educational value *or with unique historic or cultural resources* (part of Ecology criterion that should be included)

3.3.7.3 Areas Designated

The Rural Conservancy – Resource Lands Shoreline Designation applies to areas as shown on the Official Shoreline Map and described herein:

- **PLACEHOLDER**

3.3.7.4 Management Policies

In addition to the other applicable policies and regulations of this Program the following management policies shall apply:

1. Agriculture, commercial forestry, and mining should be allowed in Rural Conservancy – Resource Lands provided (a) they are allowed in the underlying zoning designation; and (b) adverse impacts to the shoreline are avoided and unavoidable impacts are minimized and mitigated.
2. Water-dependent and water-enjoyment recreation facilities that do not deplete the resource over time, such as boating facilities, angling, hunting, wildlife viewing trails, and swimming beaches, are preferred uses, provided adverse impacts to the shoreline are avoided and unavoidable impacts are minimized and mitigated.
3. Allow open space and recreational uses consistent with protection of ecological functions and personal safety considerations.
4. Only water-oriented commercial uses that support permitted uses should be allowed.

3.4 Official Shoreline Map

3.4.1 *Map Established*

The location and extent of areas under the jurisdiction of this Master Program, and the boundaries of various shoreline designations affecting the lands and water of the CITY/COUNTY shall be as shown on the map entitled, “Official Shoreline Map, CITY/COUNTY, Washington.” The official shoreline map and all the notations, references, amendments, and other information shown on the map are hereby made a part of this Master Program, as if such information set forth on the map were fully described herein.

In the event that new shoreline areas are discovered (e.g., associated wetlands) that are not mapped and/or designated on the official shoreline map, these areas are automatically assigned a Natural shoreline designation if they include critical areas until the shoreline can be re-designated through a CITY/COUNTY amendment. If no critical areas are included, an Urban Conservancy designation shall be applied on lands within incorporated areas, or Rural Conservancy – Residential if on lands within unincorporated areas until the shoreline can be re-designated through a CITY/COUNTY amendment.

3.4.2 *File Copies*

The Official Shoreline Map shall be kept on file in the office of the CITY/COUNTY XXX Office/Department; the Washington State Department of Ecology, and the Washington State Code Reviser. Unofficial copies of the map may be prepared for administrative purposes. To facilitate use of this Master Program an “unofficial copy” has been attached as Appendix X.

3.4.3 *Map Amendments*

The Official Shoreline Map is an integral part of this Master Program and may not be amended except upon approval by the CITY/COUNTY and the Washington State Department of Ecology, as provided under the Shoreline Management Act.

3.4.4 Boundary Interpretation

If disagreement develops as to the exact location of a shoreline designation boundary line shown on the Official Shoreline Map, The following rules shall apply:

- 1) Boundaries indicated as approximately following lot, tract, or section liens shall be so construed;
- 2) Boundaries indicated as approximately following roads or railways shall be respectively construed to follow their centerlines;
- 3) Boundaries indicated as approximately parallel to or extensions of features indicated in (1) or (2) above shall be so construed.

Whenever existing physical features are inconsistent with boundaries on the Official Shoreline Map, the **Shoreline Administrator** shall interpret the boundaries with deference to actual conditions. Appeals of such interpretation may be filed according to the applicable appeal procedures described in Chapter Z, Administrative Provisions.