SHORELINE MASTER PROGRAM:
Use and Modification Standards
(Draft Chapter 7)

Planning Commission Work Study #2
February 21, 2012

Kitsap County
Department of Community Development
Environmental Programs Division
What are the steps?

Phase 1: Preliminary Shoreline Jurisdiction and Public Participation Plan

Phase 2: Shoreline Inventory and Characterization

Phase 3: Shoreline Environmental Designation, Policy and Regulation Development, Cumulative Impact Analysis

Phase 4: Restoration Plan

Phase 5: Local Approval

Phase 6: State Approval and Local Adoption (Kitsap County Code Title 22 Updated)
Prior Work Study:

Shoreline Environment Designations

- Aquatic
- Natural
- Rural Conservancy
- Shoreline Residential
- Urban Conservancy
- High Intensity
This Work Study:

Shoreline Uses and Modifications

- State Guidelines at WAC 173-26-231 and 241
- 16 Use and Modification types
- Chapter 7, Draft SMP
  - Definitions
  - Permit Requirements
  - Development Standards
  - Unclassified Uses = CUP
Agriculture

• Only applicable to new agriculture or expansion beyond existing agricultural lands

• Not applicable to residential gardening activities

• Shoreline buffers apply (farm plan exceptions)

• Avoid confined feed lots, manure storage in SMP jurisdiction or flood plain
Aquaculture

- SMP no longer regulates deepwater geoduck harvest on state tidelands (DNR authority)

- New rules for geoduck aquaculture on private tidelands (CUP always required)

- Revisions address light, noise, aesthetics, equipment storage

- Incentive for small non-commercial aquaculture – 2000 square foot size exemption
Barrier Structures

- Breakwaters, Jetties, Groins, Wiers

- Allowed for water-dependent uses, public access, public utilities and recreation only

- Permit incentives for restoration projects
Boating Facilities

- New section (previously under “marinas”)
- Serves 5 or more residences or public
- Modified to meet 2003 guidelines
- Updated marina standards
Commercial Development

- New commercial should be water-oriented

- Exceptions in certain circumstances (separated from water by public right-of-way or other parcel)

- Task Force recognizes existing rural stores. New stores must add water-oriented element (bait shop example).

- Public access elements to comply with SMA
Dredging

- No major revisions

- Updated for consistency with 2003 guidelines, “no net loss” requirement

- CUP required, except for normal maintenance
Fill

- No major changes, revised to comply with 2003 guidelines, “no net loss” requirement

- Only allowed under specific, water-dependent circumstances, not to create new land

- Flexibility for shoreline restoration projects
Forest Practices / Timber Harvest

- Non-conversion forest practices not subject to SMP (DNR authority)

- Conversion forest practices subject to local review under SMP

- Subject to shoreline buffer and stormwater provisions
Industrial Development

- New industrial generally prohibited along shoreline unless water-dependent, or in some cases water-oriented

- Most consistent with High Intensity designation, may be considered with CUP in others except Natural

- WAC requires public access consideration to ensure consistency with SMA
Mining

- No major changes, updated for consistency with 2003 guidelines and no net loss requirement

- Must be consistent with Comprehensive Plan (Mineral Resource Overlay)

- Currently limited to four sites (W. Central Kitsap)

- Task Force recognized existing stringent permit process under Zoning Code (Title 17, KCC)
Mooring Structures

- Piers, docks and other mooring structures

- Some overlap with Boating Facilities; specific construction standards here

- Tribes recommend no overwater structures in Natural; limiting densities in other environments

- Updated construction standards to match state, federal requirements

- Length limits in narrow bays (15% max. distance)

- Mandatory pre-application meetings
Recreation

- Non-water-oriented recreation must comply with vegetation buffer standards (ball fields, etc.)

- Buffer flexibility for water-oriented recreation

- Preference given to approved local and state park plans (Blake Island example)

- Public road-ends and rights-of-way to be preserved for public access (RCW)
Residential Development

- No significant changes except for Natural - SFRs previously prohibited in Natural, would now be permitted with ACUP (no ADUs)

- SFRs continue to be an exempt activity in other designations (codes apply, but no Shoreline Substantial Development Permit required)

- New subdivisions of more than four parcels shall provide for joint community or public access, except where infeasible
Shoreline Stabilization

- 2003 WAC guidelines set basic restrictions

- County restrictions in effect since 1999 (CAO)

- Applicant must demonstrate “imminent risk” through geotechnical report

- Imminent risk defined as three years

- Where necessary to protect existing structures or appurtenances, “soft” armoring preferred over “hard” armoring
Transportation

- Replaces “Road, Railroad and Bridge” section in current SMP

- No major changes; updated for consistency with 2003 guidelines and “no net loss” requirement

- New corridors restricted in Natural
Utilities

- No major changes, updated for consistency with 2003 guidelines and “no net loss” requirement

- CUP for new utilities in Aquatic and Natural (SFR associated utilities exempt)
SMP Schedule 2012:

- March: Planning Commission Work Studies (SMP Chapters 2-6), Public Outreach
- Spring/Early Summer: Public Hearings with Planning Commission and Board of County Commissioners
- Fall: WA Dept. of Ecology public hearing

Website: www.kitsapshoreline.org