

## Public Access Summaries:

### Excerpts From:

*Other Jurisdictions...p.1-5*

*KC Parks (PROS) Plan...p.5-8*

*Central Kitsap Area State Parks Management Plan...p.8-9*

*Kitsap County Comprehensive Plan...p.10*

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## Other Jurisdictions

### Goals and Objectives

#### Jefferson County-

- Develop, adopt, and implement a Shoreline Public Access Plan that incorporates public access into new shoreline development, unifies individual public access points into a comprehensive system, and seeks new waterfront access points that can be acquired for public use.
- Evaluate potential public access opportunities when reviewing all shoreline development projects except for individual single-family residential development projects.
- Acquire property (i.e., through purchase, donation or other agreement) to provide public access to the water's edge in appropriate and suitable locations.
- Regulate shoreline use and development to minimize interference with the public's use of the water and protect the public's opportunity to enjoy the physical and aesthetic qualities of shorelines, including views of the water.
- Expand opportunities for physical and visual public access to shorelines when such access can occur without human health, safety, and/or security risks, and without adverse effects on shoreline functions, processes, values, private property rights, and/or neighboring uses.
- Incorporate educational and interpretive signage and other tools into public access facilities to enhance the public's understanding and appreciation of shoreline ecology, cultural history and maritime heritage.
- Encourage diverse recreational opportunities in shoreline areas that can support such use and development without human health, safety, and/or security risks, and without adverse effects on shoreline functions, processes, values, private property rights, and/or neighboring uses.
- Plan for future shoreline recreation needs and acquire (i.e., through purchase, donation or other agreement) shoreline areas that have a high potential to provide recreation areas.
- Provide for both active and passive recreational needs when developing recreational areas.
- Support other governmental and non-governmental efforts to acquire and develop additional shoreline properties for public recreational uses.

## Whatcom County-

- Locate, design, manage and maintain public access in a manner that protects shoreline ecological functions and processes and the public health and safety.
- Design and manage public access in a manner that ensures compatibility with water- dependent uses.
- Where appropriate, acquire access to publicly owned tidelands and shorelands.
- Encourage cooperation among the County, landowners, developers, other agencies and organizations to enhance and increase public access to shorelines as specific opportunities arise.
- Provide and protect visual access to shorelines and tidelands.
- Require physical or visual access to shorelines as a condition of approval for shoreline development activities commensurate with the impacts of such development and the corresponding benefit to the public, and consistent with constitutional limitations.
- Develop and manage public access to prevent adverse impacts to adjacent private shoreline properties and developments.

## City of Kirkland-

- Provide substantial recreational opportunities for the public in the shoreline area
- Acquire, develop, and renovate shoreline parks, recreational facilities, and open spaces that are attractive, safe, functional, and respect or enhance the integrity and character of the shoreline.
- Encourage water-oriented activities and programs within shoreline parks.
- Continue use of opened waterfront street ends for public access.
- Explore opportunities for use and enjoyment of unopened street ends.
- Ensure that development of recreation uses do not adversely impact shoreline ecological functions.
- Protect and restore publicly owned natural resource areas located within the shoreline area.
- Manage natural areas within the shoreline parks to protect and restore ecological functions, values and features.
- Promote habitat and natural resource conservation through acquisition, preservation, and rehabilitation of important natural areas, and continuing development of interpretive education programs.
- Use a system of best management practices and best available technologies in the construction, maintenance and renovation of recreational facilities located in the shoreline environment.

- Incorporate salmon friendly dock design for new or renovated docks and environmentally friendly methods of maintaining docks in its shoreline parks.
- Minimize impacts to the natural environment and neighboring uses from boat launch facilities to the greatest extent feasible.
- Incorporate salmon-friendly landscape design practices in shoreline parks.
- Minimize impacts from publicly initiated aquatic vegetation management efforts.
- Control non-native species which impact Kirkland's shoreline.
- Implement Low Impact Development techniques, where feasible, in development of or renovations to recreational facilities along City shorelines.
- Reduce or modify existing shoreline armoring within Kirkland's shoreline parks to improve and restore the aquatic environment
- Undertake restoration opportunities to improve shoreline ecological functions and ecosystem-wide processes where feasible.

### **Regulations and Policies**

#### Whatcom County Examples-

- **Urban Conservancy Shoreline Area Policy:**  
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.
- **Urban Conservancy Shoreline Area Use:**  
Low intensity recreation, provided that facilities do not require substantive alterations to topography, such as public forest preserves, wildlife reserves, natural systems education, and/or interpretive areas, trails, trailheads, with associated restroom facilities and parking areas for no more than thirty (30) vehicles, and buildings for interpretive facilities not exceeding 4,000 square feet....
- **Shoreline Residential Area Policy:**  
Public or private outdoor recreation facilities should be encouraged if compatible with the character of the area. Preferred uses include water-dependent and water-enjoyment recreation facilities that provide opportunities for substantial numbers of people to access and enjoy the shoreline.
- **Natural Shoreline Area Policy:**  
Private and/or public enjoyment of Natural shoreline areas should be encouraged and facilitated through low intensity recreational, scientific, historical, cultural, and educational research uses, provided that no significant ecological impact on the area will result.
- **Natural Shoreline Area Use:**  
Low intensity water-oriented recreation, provided that facilities do not require substantive alterations to topography, such as public forest preserves, wildlife reserves, natural systems education, and/or interpretive areas, trails, trailheads, with associated restroom facilities and parking areas for no more than ten (10) vehicles, and buildings for interpretive facilities not exceeding 500 square feet...

## Jefferson County Examples-

- Single-family residential developments consisting of four (4) or fewer residential lots or dwelling units shall not be required to provide public access.
- Opportunities to provide visual and/or physical public access shall be considered during the review and conditioning of all proposed commercial and industrial shoreline developments and residential developments involving more than four (4) residential lots or dwelling units.
- Physical public access shall be incorporated into all development proposals on public lands, all public and private commercial and industrial uses /developments, and all residential subdivisions of greater than four (4) lots unless the project proponent demonstrates that any of the following conditions exist:
  - i. Unavoidable public health or safety hazards exist and cannot be prevented through reasonable means; or
  - ii. The use /development has inherent security or cultural sensitivity requirements that cannot be mitigated though reasonable design measures or other solutions; or
  - iii. The cost of providing the access, easement or an alternative amenity is disproportionate to the total long-term cost of the proposed development; or
  - iv. The public access will cause unacceptable environmental impacts that cannot be mitigated; or
  - v. The access would create significant, undue, and unavoidable conflicts with adjacent uses that cannot be mitigated.
- To be exempt from the public access requirements in 6.3.B.3, the project proponent must demonstrate that all feasible alternatives have been considered, including, but not necessarily limited to:
  - Regulating access through means such as maintaining a gate and/or limiting hours of use; and
  - Separating uses and activities (e.g., fences, terracing, use of one-way glazing, hedges, landscaping, etc.).
- When physical public access is deemed to be infeasible based on considerations listed in 6.3.B.3, the proponent shall provide visual access to the shore or provide physical access at an off-site location geographically separated from the proposed use/developmental (e.g., a street end, vista, or trail system).
- Public access shall be located and designed to be compatible with the natural shoreline character, to avoid adverse impacts to shoreline ecological functions and processes, and to ensure public safety.
- When otherwise consistent with this Program, public access structures shall be exempt from the shoreline buffer requirements of this Program, meaning that such structures shall be allowed to encroach into the shoreline buffer when necessary to provide physical and or visual access to the water's edge.
- Public shoreline access provided by public road ends, public road rights-of-way, public utilities and rights-of-way shall not be diminished by the County, neighboring property owners, or other citizens, unless the property is zoned for industrial uses in accordance with RCW Chapter 36.87.130.4
- Public access sites shall be directly connected to the nearest public street and shall include improvements that conform to the requirements of the Americans with Disabilities Act (ADA) when feasible and appropriate.

- Opportunities for boat-in public access and access to primitive shorelines not accessible by automobile shall be provided where feasible and appropriate.
- When required for public land, commercial, port or industrial use/development as per 6.3.B.2 and 3 above, public access sites shall be fully developed and available for public use prior to final occupancy of such use or development.
- Public access easements and permit conditions shall be recorded on the deed of title and/or the face of a short or long plat as a condition running, at a minimum, for a period contemporaneous with the duration of the authorized land use. Recordation shall occur at the time of final plat approval or prior to final occupancy.
- The location of new public access sites shall be clearly identified. Signs with the appropriate agency's logo shall be constructed, installed and maintained by the project proponent in conspicuous locations at public access sites and/or along common routes to public access sites. The signs shall indicate the public's right of access, the hours of access, and other information as needed to control or limit access according to conditions of approval.

#### City of Kirkland Examples-

- Recreational Use for Urban Conservancy:
  - Shoreline Setback: Water Dependant Use- 0'; Water Related Use- 25'; Water Enjoyment Use-30'; Other Uses- outside shoreline jurisdiction if feasible, otherwise 50'.
  - Maximum Lot Coverage- 30%
- Recreational Use for Residential M/H:
  - Shoreline Setback: Greater of 25' or 15% of the average parcel depth
  - Maximum Lot Coverage- 80%

### **Excerpts from *Kitsap Co. Parks, Recreation and Open Space (PROS) Plan***

#### SHORELINE ACCESS

- Kitsap County contains 228 miles of saltwater shoreline, a very high number relative to the 396 square mile size of the County (according to the Puget Sound Regional Council).
- Access to the saltwater shoreline was in high demand in the survey conducted as part of this planning process (See *Appendix B: Survey Summary*).
- In the 2000 Open Space Plan, Kitsap County set a standard of having 10% of the County's 228 miles of saltwater shoreline available to the general public. At that time public access was available to 13.45 miles of saltwater shoreline. Since then almost five additional miles have been added, mostly by Kitsap County and the Cities of Bainbridge Island, Bremerton and Poulsbo.

- Approximately 4.6 miles of waterfront must still be acquired to meet the 10% goal.
- There are known to be a number of undeveloped road rights-of-way leading to Kitsap County shorelines, which may provide some limited public access to those shorelines. In order to develop access, the County would need to provide adequate buffers between neighboring properties and public shoreline access, as well as adequate parking, restrooms and trash amenities.

### BOATING LAUNCHES

- Three additional launches are required to meet demand.
- Eight Port Districts and Washington State Department of Fish and Wildlife provide most of the launches in the county.
- The County may develop facilities as the opportunities arise, and also may assist other agencies as they develop facilities.

### SALTWATER DIVING

- A need has been identified for saltwater diving sites around the county.
- Kitsap County for the most part is surrounded by saltwater, and there is a strong diving community within the county, as well as within the greater Puget Sound region.
- A number of desirable dive sites have been identified; many at waterfront County parks. The County will work with users to facilitate diving at these locations.

### GOALS, OBJECTIVES and STRATEGIES

- Acquire and develop waterfront parks, including freshwater lakes and access to the saltwater shoreline, including park sites, access to public tidelands and underwater parks.
- Waterfront parks, regardless of size, are regional, due to the lack of access to the water in the County.
- Acquire lands which will provide access to and use of the saltwater shorelines of the county.
  - Acquire access to [an additional] 4.58 miles of saltwater shoreline.
  - Prioritize properties which provide access to public tidelands, in order to maximize public access.

- Continued acquisition of waterfront access sites, including sites with beach areas, points of access to publicly owned tidelands and underwater park sites.
- Inventory and, where feasible, provide access to the shoreline at existing undeveloped public road rights-of-way which lead to the water. Development may occur where adequate buffers to neighboring properties, and parking, restrooms and trash amenities can be provided.

#### CRITERIA for EVALUATING OPPORTUNITIES for HABITAT PRESERVATION

- Areas that provide habitat benefits for species of concern, as listed by the Washington Department of Fish and Wildlife (WDFW), or that address priority and sensitive habitats as defined by WDFW should be given preference.
- Large areas/blocks of habitat should be given preference to small areas.
- Areas that are more intact and less degraded should be purchased in preference to areas that are less intact and more degraded.
- Areas with a low amount of habitat fragmentation area should receive preference to areas with a high amount fragmentation.
- Habitat areas that are or can be connected to others should be given preference to those which are isolated.
- Give preference to areas that achieve multiple objectives (e.g., water supply protection and critical habitat conservation) over areas which achieve a single objective.
- Priority lands should be sought, though opportunistic bargain sales of lands should be considered on a “not-to-preclude-higher-priority-habitat-area” basis.

#### LEVEL OF SERVICE

Under the requirements of the Growth Management Act needs must be expressed relative to levels of service (LOS).

For parks and open space, levels of service are measured in acres of land for each thousand people being served. *Shoreline levels of service is measured in miles of shoreline*; trails in miles of trail per thousand people; recreational facilities in units (ballfields, gyms, pools, etc) per thousand people.

Existing levels of service are determined by dividing the number of acres, miles, ballfields, etc by the number of people in the county and dividing that number by 1,000.

If we know that the existing facilities are inadequate, we can project a higher level of service which would meet the identified need.

## **Central Kitsap Area State Parks Management Plan**

(excerpts as relates to Public Access in the shoreline area)

### Blake Island

- 16,570' of shoreline (~3 miles); Boat access only; current SMP Designation is Natural and Conservancy (NW corner)
- Limits Recreation Areas to currently developed areas, with enough space for reconfiguration and/or expansion of campgrounds, group camp, (add cabins)etc. Remaining lands classified as Resource Recreation Areas. Marine bedlands managed by Parks unclassified, however, the placement and maintenance of mooring buoys will continue in this area (up to 12 more permitted buoys, 36 total)
- Will examine options to reconfigure marina and campsite locations to reduce erosion impacts and minimize dredging needs; if erosion continues, convert to day use or abandon development along south shore
- Promote shellfish enhancement to increase recreational opportunities
- Explore options to coordinate public or private mass transit to park
- Maintain underwater park; no significant improvements
- Consider development of outdoor amphitheater near the existing interpretive trail

### Manchester

- 3,400' of shoreline; current SMP designation is Conservancy
- Shoreline erosion issue (need to maintain administrative access to the Ranger residence, Battery Mitchell and Goat Hill- if shoreline access route not feasible, work to develop alternative route)
- Address private property trespass issues: maintain boundary fence, develop a boundary management plan, maintain public tideland boundary signs
- Future proposal to extend pedestrian access north of the park to Wynn Jones Park
- Future opportunities to expand parking and beach access in areas designated Recreation Area in long-term boundary to the south
- No water or moorage access being considered

### Illahee

- 1,785' of shoreline
- Primarily classified as Resource Recreation Area (including tidelands and undeveloped forest stands); park shop, memorial area, kitchen shelters, campground, playfield, beach day-use areas and pier and dock facilities classified as Recreation Areas
- Work with tribes and DNR to explore options for the development of a modern Joint Management Agreement process for managing bedlands fronting state park properties
- Work towards the development of an Underwater Park Concept Management Plan
- Replace pier, moorage and breakwater using environmentally friendly materials; develop fishing access on pier to meet ADA standards
- Explore feasibility of developing pedestrian trail to the southern beach area
- Park long-term boundary could provide expanded day use parking and shoreline access
- Maintain existing beach access road; improve drainage systems; explore options in long-term boundary to provide alternative beach access

### Scenic Beach

- 1,487' of shoreline
- Resource Recreation Areas (shop, office, campground, picnic shelters, etc); Heritage Area (Emel House); Natual Area (east of campground)
- Coordinate possible pedestrian access route to Nick's Lagoon County Park (1/2 mile south)
- Consider placement of water trail campsite above bulkhead picnic area
- Maintain concrete bulkhead until analysis, removal or replacement funding can be secured; consider other types of shoreline protection

### Square Lake/Calvinwood (leased from Kitsap Co. Parks)

- Explore options to establish a pedestrian loop trail around Square Lake
- Develop a cooperative boundary management process
- Identify and manage exterior trailheads/park entrances for pedestrian uses; consider bike and equestrian uses within the broader Heritage Park planning process
- Potential linkages to Puget Sound the north and northwest
- Maintain existing boat launch

## **Kitsap County Comprehensive Plan**

### V.II, Ch. 3.3

- Acquire shoreline parcels so that the public has access to 4.58 additional miles of saltwater shoreline (10% of the total shoreline for public access)
- Level of service determined by acres/1000 population
- Proposed LOS standard (for adopted Alternative 2 scenario) was 106 linear ft. per 1000 population or 5,697 ft. total shoreline access.
- 2005 LOS was 119/1000. 2025 LOS projected at 89/1000. This is accounting for all acquisitions expected by 2012.
- Implement the Mosquito Fleet Trail, adding 113 miles of roadside hiking/biking along the shoreline (these aren't additional miles since the roads already exist, but would provide safer, continuous shoreline access)\

### V.I, 9.4.5 Shorelines, SMP Goals and Policies, Public Access

- Policy SH-9: Promote and encourage safe, convenient and diversified access to public shorelines while respecting private property rights.
- Policy SH-10: Publicly owned, undeveloped road ends, tax title lands and right-of-ways, which abut shorelines should be evaluated for their use as public access points.

### V.1, 10.2 Parks, Recreation, and Open Space

Policy POS-4: Acquire and develop waterfront parks, including freshwater lakes and access to the saltwater shoreline, including park sites, access to public tidelands, and underwater parks.

Policy POS-13: Acquire shoreline parcels so that the public has access to a total of 4.58 [additional] miles of saltwater shoreline.

Policy POS-14: Prioritize acquisition of properties that provide access to public tidelands, to maximize public access.