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2 **Residential**

3 A. Policies

4 1. Residential use is not water-dependent but is a preferred use of the shorelines
5 when such development is planned and carried out in a manner that protects
6 shoreline functions and processes to be consistent with the no net loss provisions
7 of this Program.

8 ~~2. All residential use and development should be planned, designed, located, and
9 operated to avoid adverse impacts on shoreline processes, aquatic habitat,
10 biological functions, water quality and quantity, aesthetics, navigation, and
11 neighboring uses.~~

12 ~~3. All residential use and development should be properly managed to avoid damage
13 to the shoreline environment and prevent cumulative impacts associated with
14 shoreline armoring, overwater structures, stormwater runoff, septic systems,
15 introduction of pollutants, and vegetation clearing.~~

16 ~~4. New residential development should be limited to densities that are consistent
17 with the Jefferson County Comprehensive Plan goals and policies, zoning
18 restrictions, and this Program. The density per acre of development should be
19 appropriate to local natural and cultural features.~~

20 ~~5. Clustering of dwelling units and accessory structures should be implemented to
21 preserve natural features, minimize physical impacts and reduce utility and road
22 construction and maintenance costs.~~

23 6. New residential development should be planned and built in a manner that avoids
24 the need for structural shore armoring and flood hazard reduction ~~measures in
25 accordance with Article 7 section 5 (Flood Control Structures) and section 7
26 (Shoreline Stabilization) of this Program.~~

27 7. Residential development should be designed to:
28 i. Maintain or improve ecological functions and processes; and
29 ii. Preserve and enhance native shoreline vegetation; and
30 iii. Control erosion; and
31 iv. Protect water quality; and
32 v. Preserve shoreline aesthetic characteristics; and
33 vi. Minimize structural obstructions to public views and normal public use of
34 the shoreline and the water.

35 ~~8. Creation of new residential lots through land division should be designed,
36 configured and developed to ensure that no net loss of ecological functions and
37 processes occurs from the plat or subdivision, even when all lots are fully built
38 out.~~

For Planning Commission Review

- 1 | 9. ~~Multi-unit R~~residential developments are encouraged, but not required, to provide
2 | public access to the shoreline.
- 3 | 10. Whenever possible, non-regulatory methods to protect, enhance, and restore
4 | shoreline ecological functions should be encouraged for residential development.
5 | Delete or explain what methods are contemplated.

6 | B. Shoreline Environment Regulations

- 7 | 1. Priority Aquatic: Residential development is prohibited.
- 8 | 2. Aquatic: Residential development is prohibited.
- 9 | 3. Natural: Residential development consisting of one (1) single-family residence
10 | per existing legal lot of record may be allowed as a conditional use. ~~Accessory~~
11 | ~~dwelling units shall be prohibited.~~
- 12 | 4. Conservancy: Single-family and duplex development may be allowed subject to
13 | policies and regulations of this Program. ~~Subdivision of property shall not be~~
14 | ~~allowed in a configuration that will require significant vegetation removal or~~
15 | ~~shoreline modification, or result in a net loss of shoreline ecological functions and~~
16 | ~~processes at the time of development of the subdivision and/or use of each new~~
17 | ~~parcel.~~ All other residential development may be allowed as a conditional use.
- 18 | 5. Shoreline Residential: Residential development is allowed subject to the policies
19 | and regulations of this Master Program.
- 20 | 6. High Intensity: Residential development is allowed subject to the policies and
21 | regulations of this Master Program.

22 | C. Regulations – Primary Residences

- 23 | 1. Residential use and development shall be planned, designed, located, and operated
24 | to avoid adverse impacts on shoreline processes, aquatic habitat, biological
25 | functions, water quality, aesthetics, navigation, and neighboring uses.
- 26 | 2. ~~Residential structures shall not be located in areas subject to flooding or tidal inundation unless~~
27 | ~~complete floodproofing measures have been provided, and then only when the location of such~~
28 | ~~structures will not aggravate flooding possibilities of nearby properties.~~
- 29 | 2.3. The following types of residential development shall be prohibited:
- 30 | ~~i. Developments that can be reasonably expected to require structural shore~~
31 | ~~armoring during the useful life of the structure or one hundred (100) years,~~
32 | ~~whichever is greater.~~
- 33 | ~~ii.i. Developments that can be reasonably expected to require structural flood~~
34 | ~~protection within a channel migration zone or floodway during the useful~~
35 | ~~life of the structure or one hundred (100) years, whichever is greater.~~

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(a) Residential structures located on or over marshes, bogs, swamps, lagoons, tidelands, ecologically sensitive areas or water areas subject to this master program.

(b) Residential structures located upon geologically hazardous areas or in floodways.

iii.i. Overwater or floating residential developments.

3. The following types of land division shall be prohibited in shoreline jurisdiction:

i. When structural shore armoring or flood hazard reduction would be required to create buildable land; or

ii.iii. When it is reasonably foreseeable that future development would require structural shoreline armoring or flood control during the useful life of the development or one hundred (100) years, whichever is greater.

4. The buffer requirements in Article 6 of this Program apply to residences, except that docks, floats, and pedestrian beach access structures and other water-dependent and water-related structures accessory to residential use may be permitted to encroach into the buffer in accordance with the applicable provisions of this Program.

5. Cluster development and appropriate low impact development practices shall be required for development sites constrained by critical areas and/or shoreline buffers.

6.5. Proposals for multi-story residential development greater than thirty five (35) feet above average grade must include an analysis of how the structure would impact the views of surrounding residents. If the proposed residence would block or significantly compromise the view of a substantial number of residences on adjoining areas, the County shall limit the height to thirty five (35) feet, or require design revisions or relocation to prevent the loss of views to neighboring properties. Residential structures shall not exceed 35 feet in height. [Ord. 11-00 & 5(5.170)]

7.6. New multi-unit residential development, including subdivision of land for more than four (4) parcels, shall provide public open space equal to at least thirty percent (30%) of the subdivision area for development residents and the public. The County may alter the threshold or waive this requirement if public access is infeasible due to incompatible uses, safety, impacts to shoreline ecology or legal limitations. The County may require alternatives to on-site physical access if on-site physical access is infeasible for the reasons noted. Delete – Conflicts with JCC 18.30.050

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1 | ~~8.7.~~ New or expanded subdivisions and planned unit developments comprised of four
2 | (4) or more lots or units shall provide public access to publicly owned shorelines
3 | or public water bodies unless:

- 4 | i. The site is designated in a shoreline public access plan for a greater
5 | component of public access; or
- 6 | i. The public access is demonstrated to be infeasible or inappropriate.

7 | ~~9.8.~~ New or amended subdivisions, except those for lot line adjustment and lot
8 | consolidation purposes, shall provide public access as provided for in Article 6.

9 | ~~10.9. When required for multi-lot/multi-unit residential development, public access/
10 | open space shall equal at least thirty percent (30%) of the subdivision area. The
11 | County may require a lesser amount or may waive this requirement if public
12 | access is infeasible due to incompatible uses, risks to health or safety, impacts to
13 | shoreline ecology or legal limitations. In such cases, the County may require
14 | alternatives to on-site physical access if on-site physical access is infeasible for
15 | the reasons noted. Delete – Conflicts with JCC 18.30.050~~

16 | ~~11.10.~~ The type and configuration of public access required for multi-unit/multi-
17 | lot residential development shall depend on the proposed use(s) and the following
18 | criteria:

- 19 | i. Subdivisions within shoreline jurisdiction that have views of water areas
20 | shall at a minimum provide an area from which the public can view the
21 | shoreline.
- 22 | ii. Subdivisions adjacent to public waterways or tidelands shall provide
23 | physical access to public waters/tidelands that are accessible at low tide or
24 | low water.

25 | D. Regulations – Accessory Structures/Uses

- 26 | 1. Accessory dwelling units may be permitted when the primary residential use is
27 | allowed pursuant to, and only when, other provisions of this Program are met. In-
28 | water or overwater residences/dwelling units shall be prohibited.
- 29 | 2. ~~Accessory structures and uses such as boating facilities, pedestrian beach access
30 | structures, shore armoring and shore stabilization shall be subject to the applicable
31 | provisions of Article 7.~~
- 32 | 3. ~~A shoreline substantial development permits or conditional use permit shall be
33 | required for all accessory development that is not considered a normal
34 | appurtenance. Normal Appurtenance not defined.~~

For Planning Commission Review