

Significant Issues Comparison

Below is a summary of key issues, not intended to be a complete representation or analysis:

PC Final Draft SMP	How DCD Staff Recommendation Agrees/Differs
Buffers & Setbacks (Article 6)	
Building setback = 5'	Differs; Building setback = 10'
Stream/River Buffer = 150'	Agrees
Lake Buffer = 100'	Agrees
Marine Buffer: Natural and Conservancy = 150' Shoreline Residential = 50' High Intensity = 50'	Differs; Marine Buffer = 150' for all environment designations
Options to adjust required buffer include: 1) buffer reduction, 2) buffer averaging, 3) Non-conforming Lots Standards, 4) Common Line Setback, 5) Critical Area Stewardship Plan, 6) Shoreline Variance	Agrees; Minor revisions recommended to Common Line Buffer provision
Non-Conformity (Articles 6 and 10)	
Non-Conforming Lots: Prescriptive standards for SFR on non-conforming lots (Processed as Type I - SDP Exemption)	Agrees
Rebuild non-conforming structure in original location/configuration after major structural damage. (Processed as Type I - SDP Exemption)	Agrees
Expand/enlarge non-conforming SFR if new portion is landward not lateral/waterward to OHWM, no threat to critical areas, and height doesn't impair views. (Processed as Type I - SDP Exemption)	Differs; Landward-only expansion of non-conforming SFR limited to 25% of footprint or up to the 35' height limit and requires buffer enhancement planting when over 10% of footprint (Processed as Type I - SDP Exemption)
Expand/enlarge non-conforming SFR if new portion is lateral/waterward to OHWM, threatens a critical area, impairs views, or is a change from one non-conforming use to another. (Processed as Type II - Conditional Use Permit)	Differs; Expansion of non-conforming SFR more than 25% of footprint, or lateral/landward but not waterward to OHWM, or threatens critical area, or impairs views. (Processed as Type II - Conditional Use Permit)
Expand/enlarge non-conforming structure that is not SFR – bring into conformance (processed as Type III – Substantial Development Permit) or by Type III - Shoreline Variance	Agrees; For non-conforming non-SFR Differs; Expansion of non-conforming SFR waterward to OHWM, or further encroaches on critical area or side-yard setback, or increase height beyond 35' (Processed as a Type III – Shoreline Variance)

Note: CUP = Conditional Use Permit; OHWM = ordinary high water mark; SDP = Shoreline Substantial Development Permit; SFR = Single family residential

Jefferson County Shoreline Master Program (SMP) Comprehensive Update

PC Final Draft SMP	How DCD Staff Recommendation Agrees/Differs
Vegetation Management (Article 6)	
Maintain existing and establish new native vegetation; minimize vegetation trimming & removal to that necessary for views while protecting slopes and habitat; avoid/minimize use of fertilizers, herbicides and pesticides	Agrees; Except some text edits for clarity; added policy for vegetative debris; added regulation for vegetation removal outside the buffer; added criteria for denial/conditional approval for predictability and consistency during permit review.
Economic Development (Article 8)	
Geoduck Aquaculture generally does not meet criteria for ‘development’ and PVC tubes are not ‘structures’ so it’s allowed in all shoreline jurisdictions without local permit unless it interferes with public use of surface waters, or involves structures, dredging or filling; Except Conditional Use Permit (CUP) required when adjacent to Shoreline Residential designation.	Agrees; Except added limitation to also require CUP when adjacent to Natural and Conservancy designations; expanded list of application information County may request to ensure compliance
Net Pen Aquaculture – Allowed with CUP except prohibited when operation can’t prevent release of herbicides, pesticides, antibiotics, fertilizers, non-indigenous species, parasites, pharmaceuticals, genetically modified organisms or other harmful materials	Differs; Net Pen Aquaculture prohibited outright in all shoreline designations
Forest Practices – SMP regulates ‘non-harvest’ FP activities such as roads and culverts and primarily relies on state requirements and plans.	Agrees; minor text revision to relocate outright prohibition of activities below OHWM to discreet section for document consistency
Industrial/Port Facilities – Allows County to require acoustical study to address noise concerns; No shoreline restoration requirement for non-water oriented mixed-use development; Allows waterward expansion of existing non-water dependent industrial/port development	Agrees; Plus additional text to further describe potential noise, vibration, and noxious odor impacts; Agrees (shoreline restoration); Differs; Existing non-water dependent industrial/port development may only expand landward, not waterward, as allowed by the Program
Public Interest	
No Net Loss – General Policies # 1 - 5 in Article 6.1.A and Regulations 1-9 in Article 6.1.B address no net loss and mitigation requirements for ecological protection of shorelines and critical areas in shoreline jurisdiction	Agrees

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Public Access – Master Program Goals 1 – 6 in Article 3.4 address the SMA requirements for the public to be able to ‘reach, touch and travel on... and to view’ shorelines of the state.	Agrees; except a minor text edit to Goal 1 to ensure all development is addressed through a Shoreline Public Access Plan, not only ‘major’ development.
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Residential Use	
Accessory Dwelling Units (ADUs) – Allowed in all shoreline designations per the requirements of the Program	Differs; ADUs prohibited in the Natural designation, allowed in Conservancy, Shoreline Residential, and High Intensity
Beach Access Structures, and Boating Facilities – Equivalent regulatory allowances for public and private development per Program requirements.	Differs; Regulatory preference for public structures over private to minimize the proliferation of individual structures and meet public access goals and polices.
Shore Armoring – New and expanded bulkheads and other structural shoreline armor prohibited in Priority Aquatic and Natural designations; Repair and replacement of existing allowed per Program requirements;	Agrees
Mooring Buoys	
Allowed with an SDP in all designations as per Program requirements	Differs; CUP required in Natural designation, allowed in all other designations with SDP as per Program requirements
Procedural Issues	
Shoreline Environment Designations (SEDs) – Set of 6 designations, two apply waterward of OHWM (Priority Aquatic, and Aquatic), four apply landward of OHWM (Natural, Conservancy, Shoreline Residential, and High Intensity). Priority Aquatic is a designation unique to, and developed by Jefferson County by recommendation of the Shoreline Technical Advisory Committee. All others are consistent with State Shoreline Guidelines (WAC 173-26).	Agrees
Allowed Use Table – Intended as a ‘quick glance’ reference summary of the regulatory text of Articles 6, 7 and 8 with permit requirements detailed in Articles 9 and 10.	Agrees; However, additional line-in/line-out text edits were not provided; Need to ensure table accurately reflects text prior to local approval and final adoption process.

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