

- BoCC must locally approve an SMP in time for submittal to the State Dept of Ecology by June 30, 2009.
 - Both the grant funding contract and statutory limits on grant funding require County submittal in June
- Ecology has final approval authority as per state law (RCW 90.58; WAC 173-26)
 - Ecology has submitted formal comments indicating the PDSMP as written "...appears fairly close to being ready for approval by the Department of Ecology." – Jeffree Stewart, Project Officer/Shoreline Specialist, 1/30/09
- Both the State and BoCC will adopt a new Jefferson County SMP

The Proposal

- Contains a wide range of policies and regulations to protect the County's shorelines from the adverse effects of future development including forest practices, residential development, and all other types of shoreline development and use.
- PDSMP policies and regulations are consistent with the state shoreline guidelines and carry out the policy goals of the SMA.
- The PDSMP achieves ecological protection by:
 - Assigning shoreline environment designations to shore segments based on the ecological conditions, type and intensity of land use and degree of shoreline modification
 - Ensuring that high quality, ecologically in-tact and environmentally sensitive areas receive the highest level of protection and are reserved for low intensity uses
 - Requiring that uses with a potential to cause significant ecological impacts are prohibited or allowed only with approval of a conditional use permit
 - Ensuring that the uses allowed on each shore segment are appropriate considering the ecological sensitivity of the land, consistent with the Comprehensive Plan designations, and compatible with existing uses
 - Requiring that naturally vegetated buffers be maintained between lakes, rivers and marine waters and the adjoining upland uses/developments
 - Targeting specific development regulations to known threats facing the County's shorelines such as bulkheads and overwater structures
 - Integrating shoreline regulations with applicable sections of the Jefferson County Code as well as relevant state and federal regulatory programs
- The proposed regulations are—on the whole—more protective of the shoreline environment than the existing SMP.

Buffers & Setbacks

- The SMP is about more than just buffers and setbacks, but numbers tend to draw a lot of public attention
- Standard buffers proposed are 100' for lakes and 150' for rivers and saltwater shorelines that fall within SMP jurisdiction
- Buffers are intended to protect fragile shoreline resources from the unintended impacts of adjacent use/development.
- This increase from existing setbacks is based on review of science and technical data (as documented by the Shoreline Inventory & Characterization Report) and meets the State requirement that SMP must provide equal protection as provided by our Critical Areas regulations. CAO adopted in 2008 requires the same 100 – 150' buffers.
- An additional building setback of 10' is proposed to protect the buffer during construction and maintenance activities
- There are a number of prescriptive and site-specific options to adjust the standard buffer in order to accommodate unique conditions:
 - **Non-Conforming Lots Standards** – For single family residential development on small parcels that can't meet the standard buffer; Review of listed criteria as part of the administrative approval for a Shoreline Substantial Development Permit Exemption; would allow location of home within standard buffer area if sited as far from shoreline/sensitive features as possible, building envelope for the home and accessory structures is no more than 2,500 s.f. (not including septic) plus no more than 1,100 s.f. for a driveway,

and at least 80% of the remaining buffer is kept naturally vegetated (native plant cover rather than lawn or landscaped ornamentals); Minimum of 30' distance from shoreline required; Shoreline Variance Permit required if specific criteria not met;

- **Common Line Setback** – For single family residential development on small lots/parcels that can't meet the standard buffer AND have neighboring homes within 50' on one/both sides of the proposed home site; Allows new home to locate so as to provide shoreline views that are similar to the existing neighbors;
- **Buffer Reduction and Averaging** – maximum of 25% reduction; not allowed where there are steep slopes over 30% gradient; more than 25% reduction only by Critical Area Stewardship Plan or by Shoreline Variance
- **Critical Area Stewardship Plan** – allowed in shoreline jurisdiction by proposed adoption of critical areas regulations as part of the SMP; for residential development on property greater than ¼ acre in size; For reduction of greater than 25% of the standard buffer; must provide equal/better protection than the standard buffer and include performance standards, monitoring and adaptive management; Shoreline Variance Permit required if CASP used to reduce the 100' or 150' standard shoreline buffer, but no Variance required if CASP used to reduce a critical area buffer that falls within the shoreline area (such as non-SMP stream or detached wetland).
- **Shoreline Variance** – For relief from specific bulk and dimensional requirements when extraordinary circumstances exist; Required for single family development on small lot/parcel that 1) can't meet the Non-Conforming Lots Standards, 2) if more than 25% reduction of standard buffer required, or 3) if CASP proposed to reduce the shoreline buffer; no detrimental effects to public interest allowed, or 4) CAO Reasonable Economic Use Variance criteria apply; specific criteria apply

Existing Development

- Normal maintenance and repair of existing structures is allowed through an administrative approval for a Shoreline Substantial Development Permit Exemption; specific criteria apply (Article 9);
- Legal, existing uses/developments that do not meet the provisions of a new SMP are considered “non-conforming” and can continue to exist ‘as is’ (such as mowing existing lawn, maintaining existing landscape, keep existing location/configuration of home and accessory structures, etc)
- Single family homes may be enlarged/expanded up to 25% of the footprint or up to the 35' height limit without a Conditional Use Permit or Shoreline Variance; not allowed for overwater structures (Article 10);
- If a non-conforming structure is damaged by fire, flood etc. (Article 10):
 - Damage up to 75% of replacement cost – Rebuild to previous existing location/configuration within 2 years
 - Damage over 75% of replacement cost –
 - Rebuild in location/configuration to comply with new SMP
 - Except, single family residential may rebuild to previous location/configuration if not able to comply with new SMP

Mining

- The Fred Hill Materials “Pit-to-Pier” proposal is currently vested to the existing SMP. New SMP would only apply if the application currently under review gets canceled/denied/withdrawn and new proposal is submitted under new SMP.
- The SMP doesn't determine land use designations. Zoning and mineral resource overlays are established by the Comprehensive Plan. The PDSMP addresses shoreline activities and structures.
- As written, the PDSMP proposes new mining use/development as prohibited along Priority Aquatic, Natural and Shoreline Residential designated sections of shorelines. Also, the extraction of quarry rock, sand, gravel and/or cobbles from any marine or freshwater lake shoreline for any commercial or industrial purpose is proposed as prohibited outright.
- Any new commercial/industrial conveyor belt, dock/pier development would have to conform to the Boating Facilities, and Commercial and/or Industrial & Port development provisions proposed by the PDSMP (Article 7 & 8)

