



Photo: A. MacLennan

Clallam County Shoreline Master Program (SMP) Update

Sekiu
Public Forum

April 2012





Presentation Overview

- Introduction to the Shoreline Management Act
- Why protect shorelines?
- The SMP update process
- Proposed changes to shoreline policies and regulations



Shoreline Management Act of 1971

“...coordinated planning is necessary in order to protect the public’s interest associated with shorelines of the state, while at the same time recognizing and protecting private property rights consistent with the public’s interest.”



Three goals of shoreline management:



Encourage water-dependent & priority uses



Protect natural resources



Promote access to public waters



County adopted its first SMP in 1976!



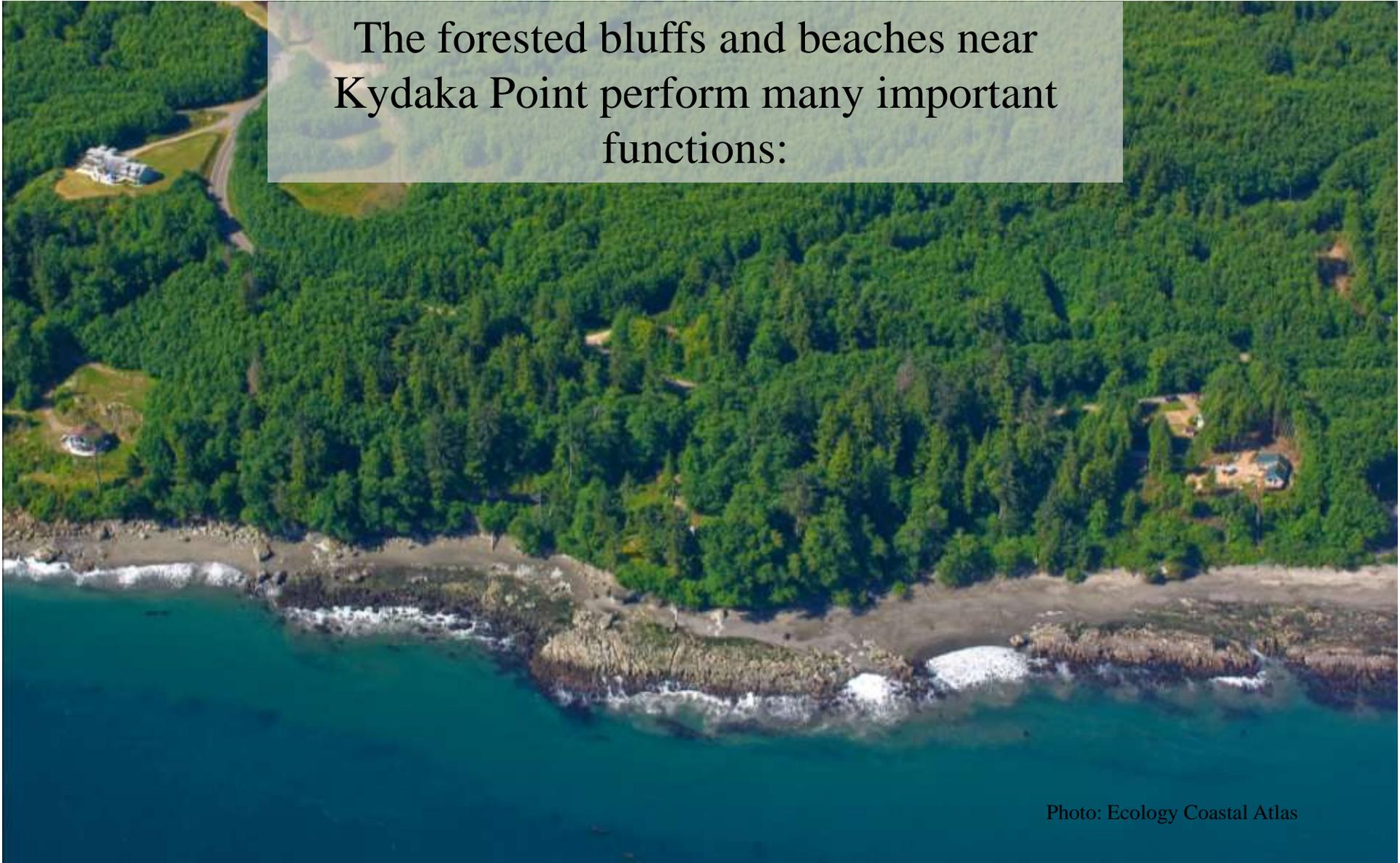


Why change it now?

- Population has more than doubled since the '70s
- County wants to accommodate growth without damaging lands and waters
- We know more about flooding, erosion and other hazards than before
- Because salmon, birds, shellfish and other resources need strong protection



The forested bluffs and beaches near Kydaka Point perform many important functions:





Smelt and sand lance spawn on the beaches of Clallam Bay. These species provide food for salmon.



The Pysht River
provides important habitat for
salmon and bald eagles

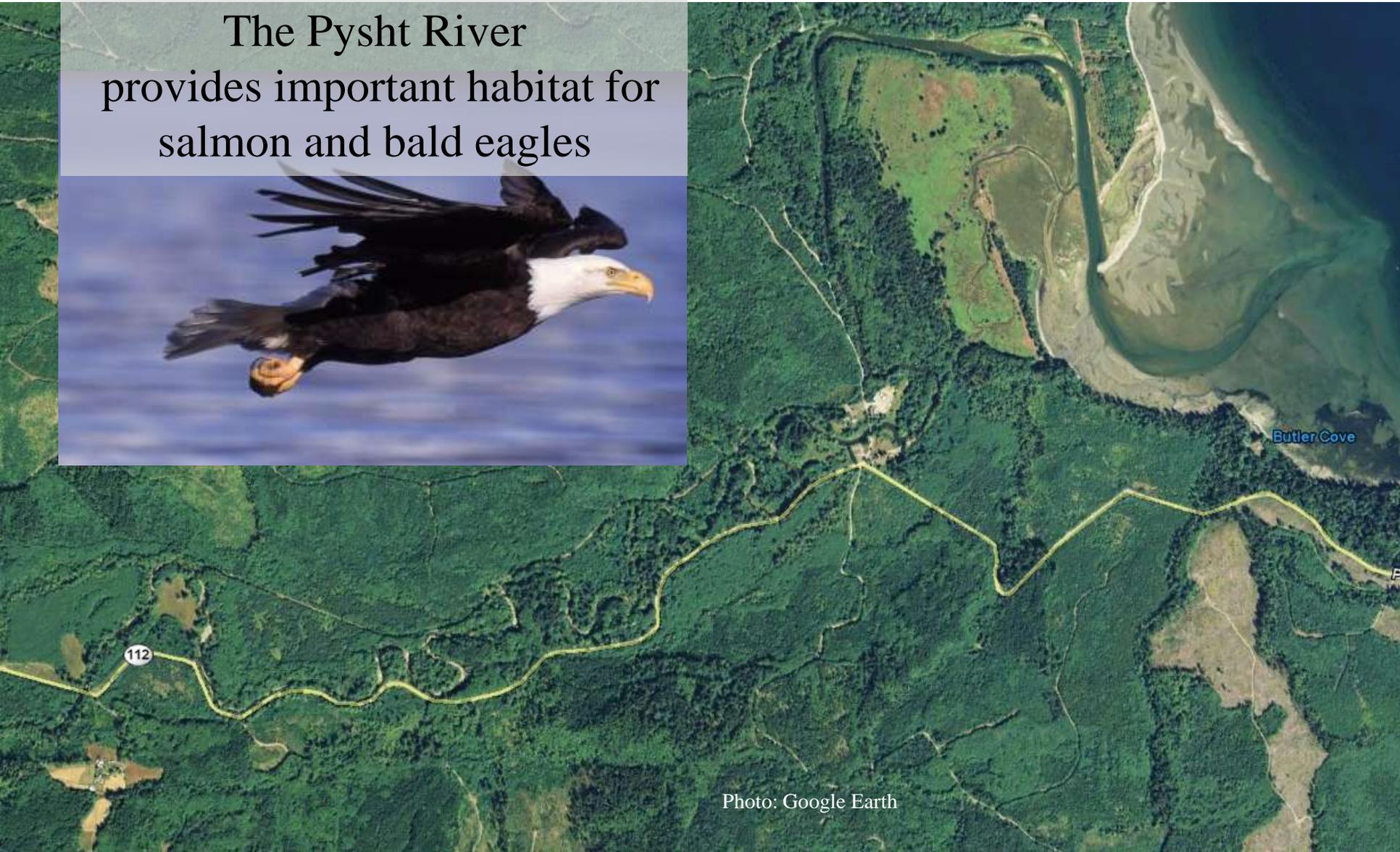


Photo: Google Earth



The SMP Update Process





Shoreline Advisory Committee

- Formed a 30+ member committee to assist the Community Development Department
 - property owners
 - state agency staff
 - tribes
 - business interests
 - conservation organizations
- Sounding board for issues and concerns
- Broad range of perspectives
- 8 meetings to date, 3 more planned



Hot topics at the committee meetings:

- Environment designations
- Building in hazardous areas – Who bears the risk?
- Buffers and setbacks – Effects on existing and new homes.
- Net pen aquaculture – Yes or No?
- Public access – How much is there? Where?



Proposed changes to the SMP:

- New Environment Designations
- Buffers for new development are generally wider than currently required
- Critical area requirements fully integrated – one set of rules
- **We're not finished – we are refining the proposal based on your feedback!**

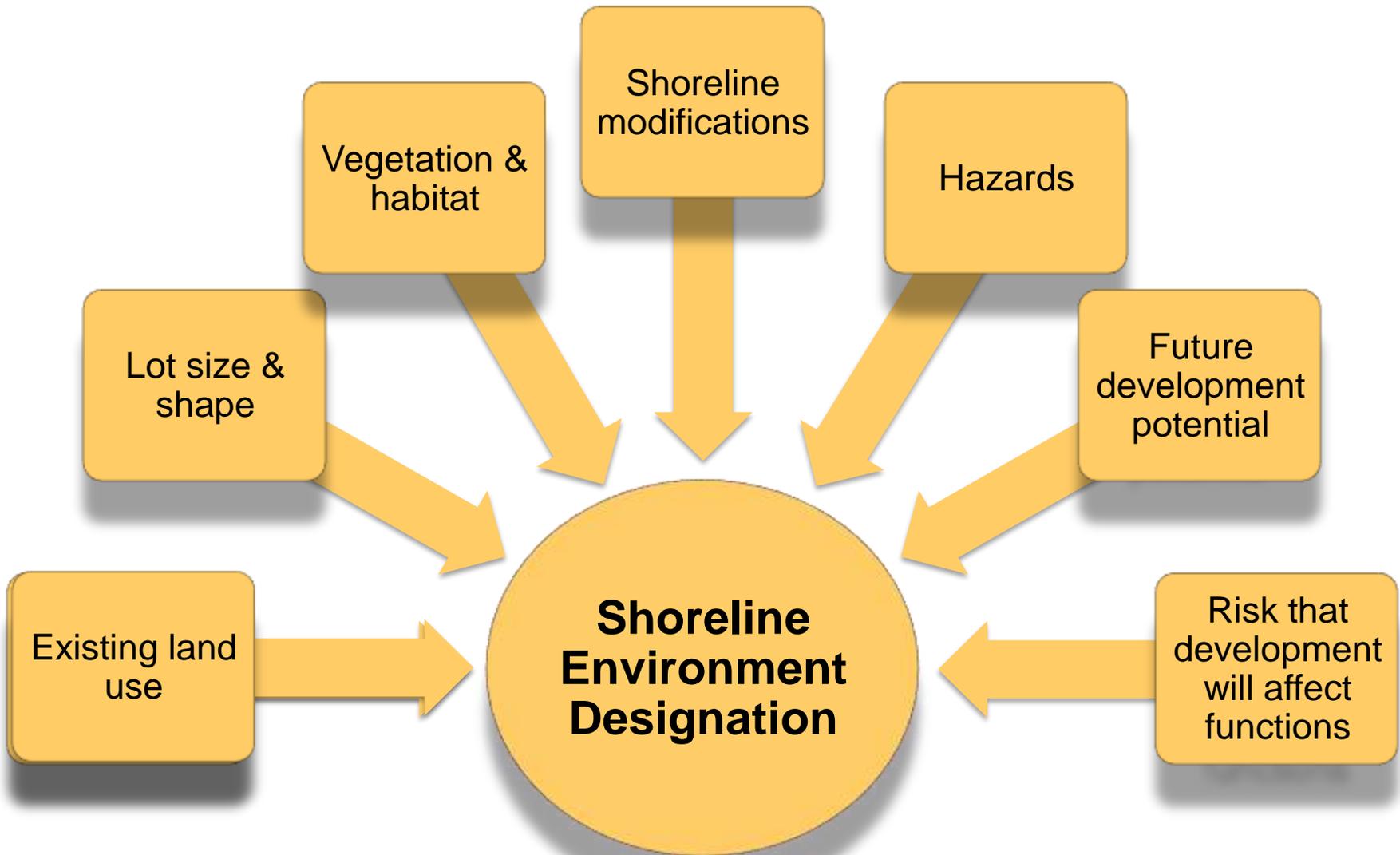


What are Environment Designations?

- Similar to a zoning overlay
- Allow areas with similar characteristics to be managed and regulated in a similar way
 - Specifies which uses and developments are allowed or not allowed on each segment of shoreline
 - Permit requirements and rules (such as buffers) vary by designation



Assigning Designations





Designations – Marine Shoreline

Existing Designations

- Natural
- Conservancy
- Suburban
- Rural
- Urban

Proposed Designations

- Priority Feeder Bluff
- High Bank Rocky Shore
- Lowland Estuary
- Bay
- Modified Lowland



Designations – Rivers & Lakes

Existing Designations

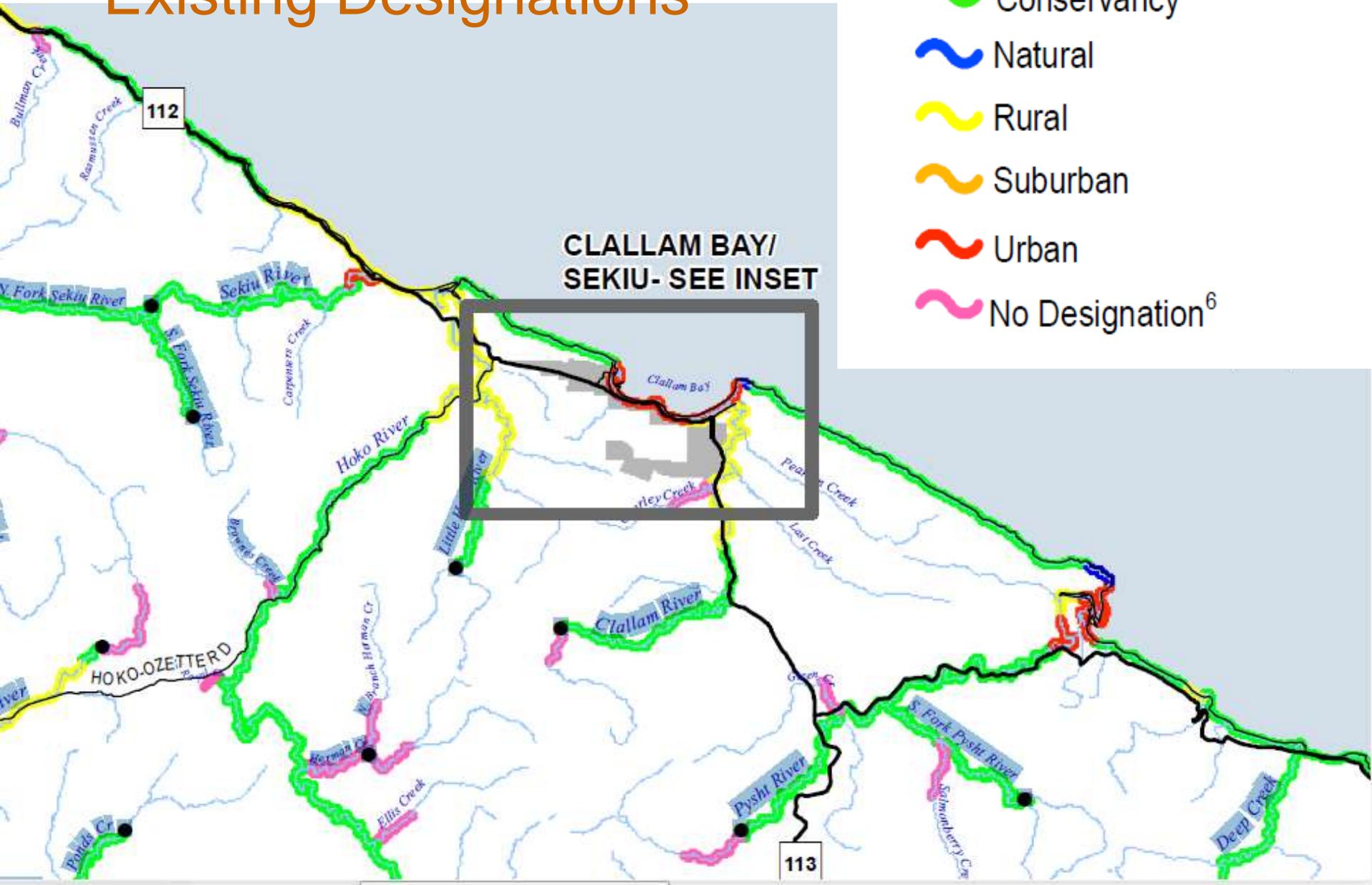
- Natural
- Conservancy
- Suburban
- Rural
- Urban

Proposed Designations

- Freshwater Natural
- Freshwater Conservancy
- Freshwater Resource
- Freshwater Residential

Existing Designations

- Conservancy
- Natural
- Rural
- Suburban
- Urban
- No Designation⁶

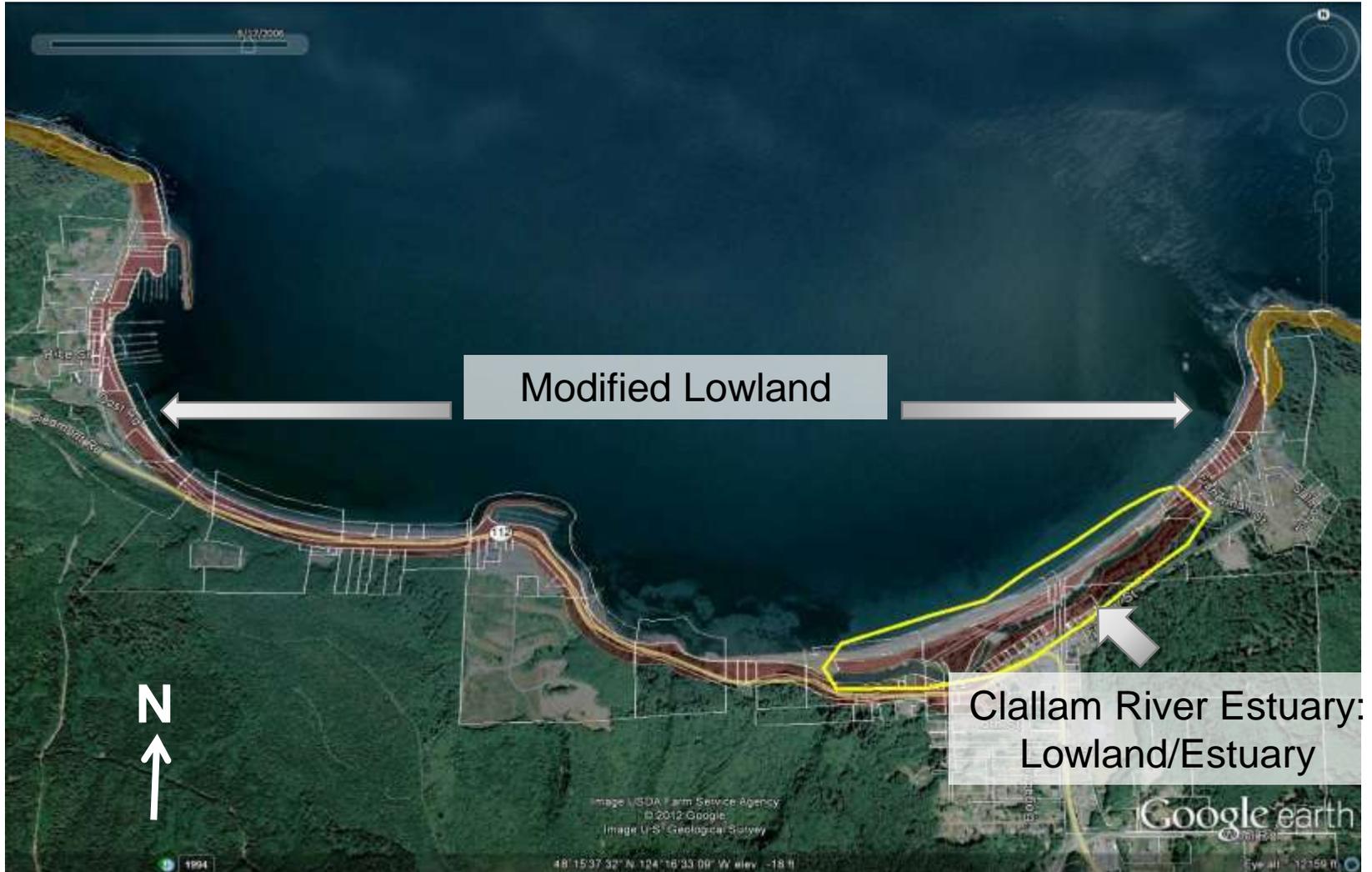


CLALLAM BAY/
SEKIU- SEE INSET

113



Clallam Bay Designations





Priority Feeder Bluff



Photo: Ecology Coastal Atlas

6/27/2006 9:08 AM

3 Crabs



High Bank Rocky Shore



Photo: Ecology Coastal Atlas

Pillar Pt.



Lowland Estuary



Mouth of Lyre River



Modified Lowland

Photo: Ecology Coastal Atlas



Shore west of Hoko R.



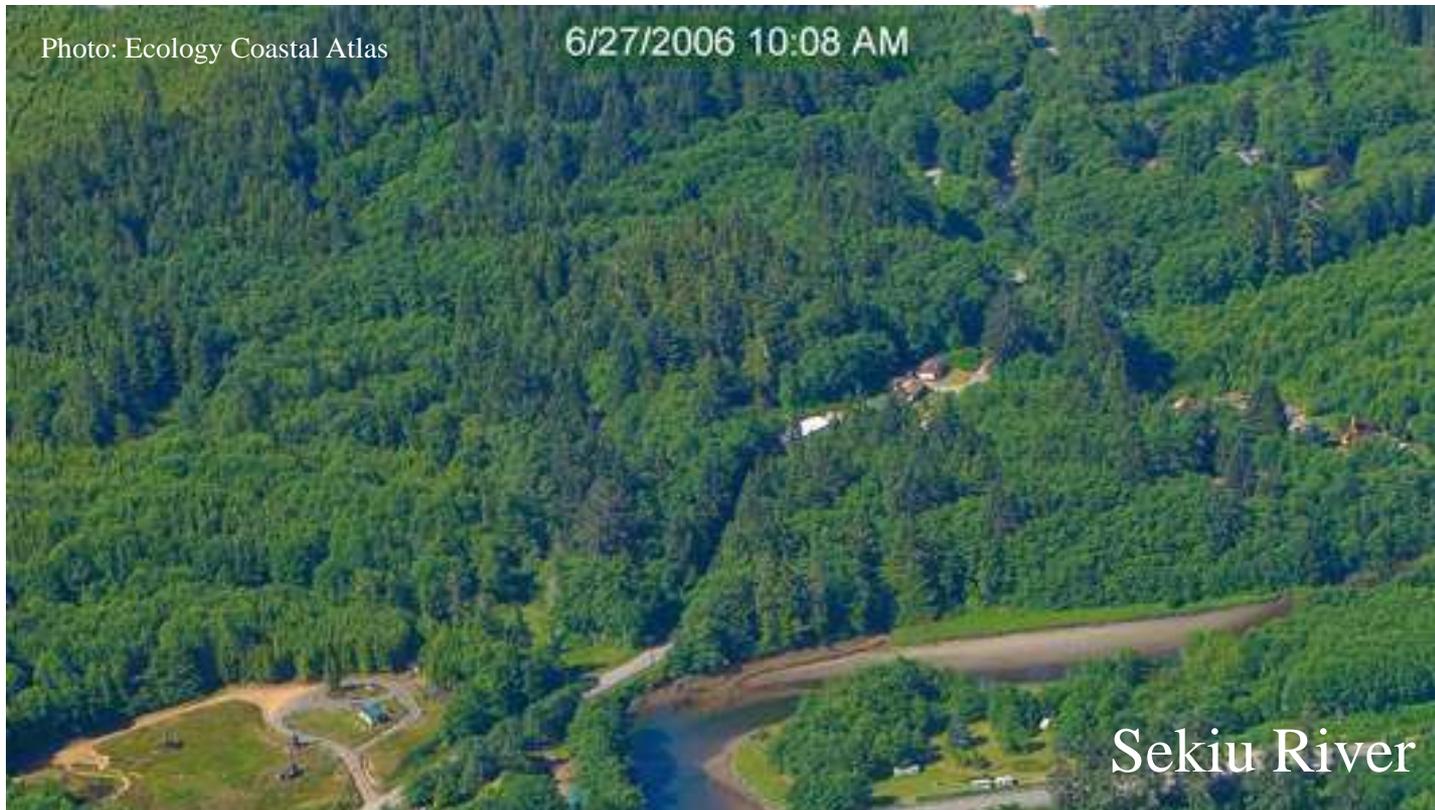
Freshwater Natural



Elwha River



Freshwater Conservancy



Sekiu River



Freshwater Resource



Hoko River



Freshwater Residential

Photo: Ecology Coastal Atlas



Lake Sutherland



Buffers and Setbacks

- Proposed shoreline buffers are generally wider than existing SMP 'setbacks'
- Buffers must be well vegetated
- Some uses are allowed in the buffer
- Buffers don't apply to Forestry or Agriculture
- Special allowances for buffers on small lots
- Some clearing is allowed to provide views and beach access



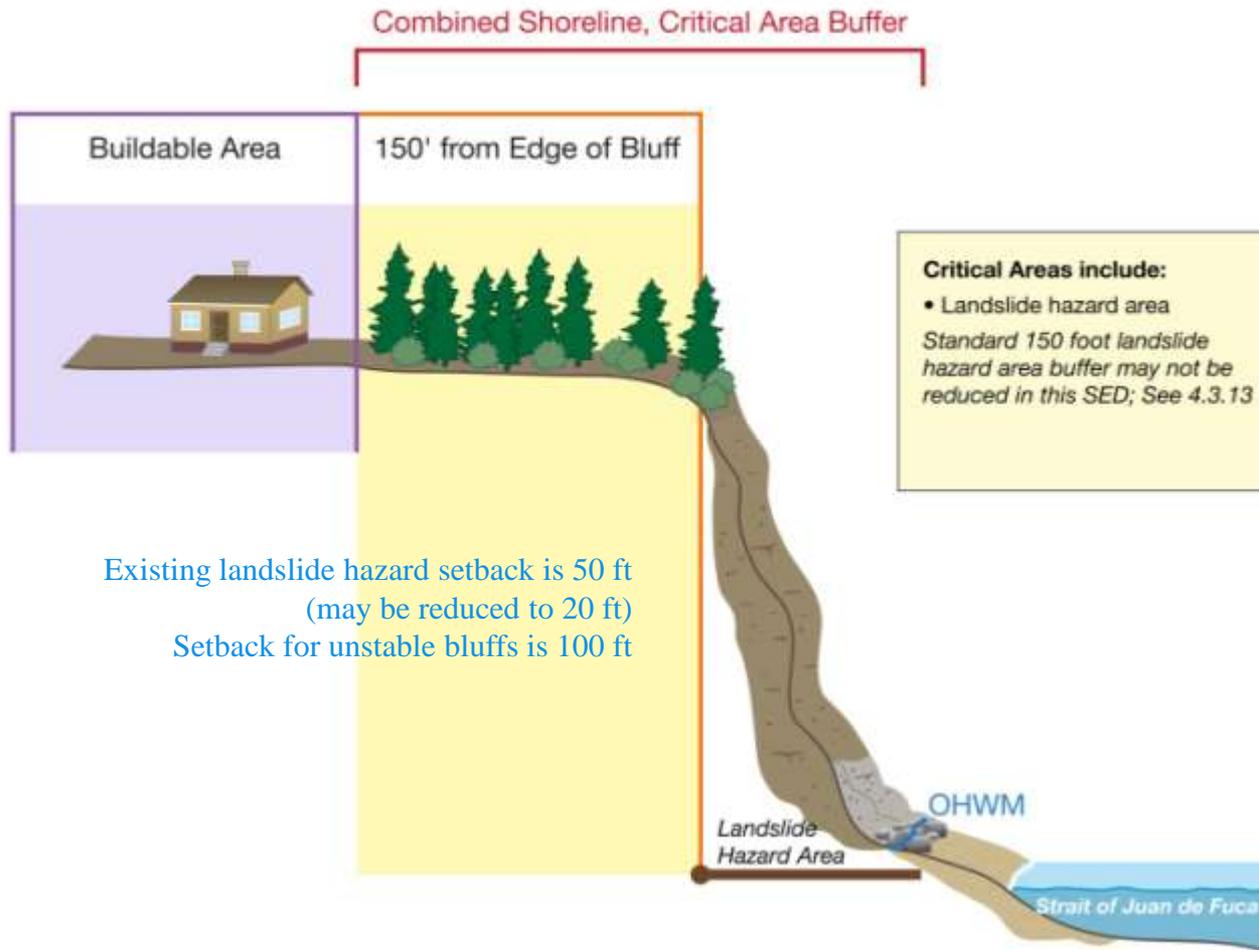
Buffer Comparison – Marine

New Designation	Single family home	
	Existing Buffer (feet)	Proposed Buffer (feet)
Lowland Modified	50 (Rural) 35 (Urban)	50
Bay	50 (Rural)	100
Lowland / Estuary	75 (Conservancy)	150
High Bank	75 (Conservancy) 150 (Natural)	150
Feeder Bluff	75 (Conservancy)	150

Note: Current building setback in unstable areas is 100 ft or height of bluff. Buffer can be increased to 300 ft if needed for habitat protection

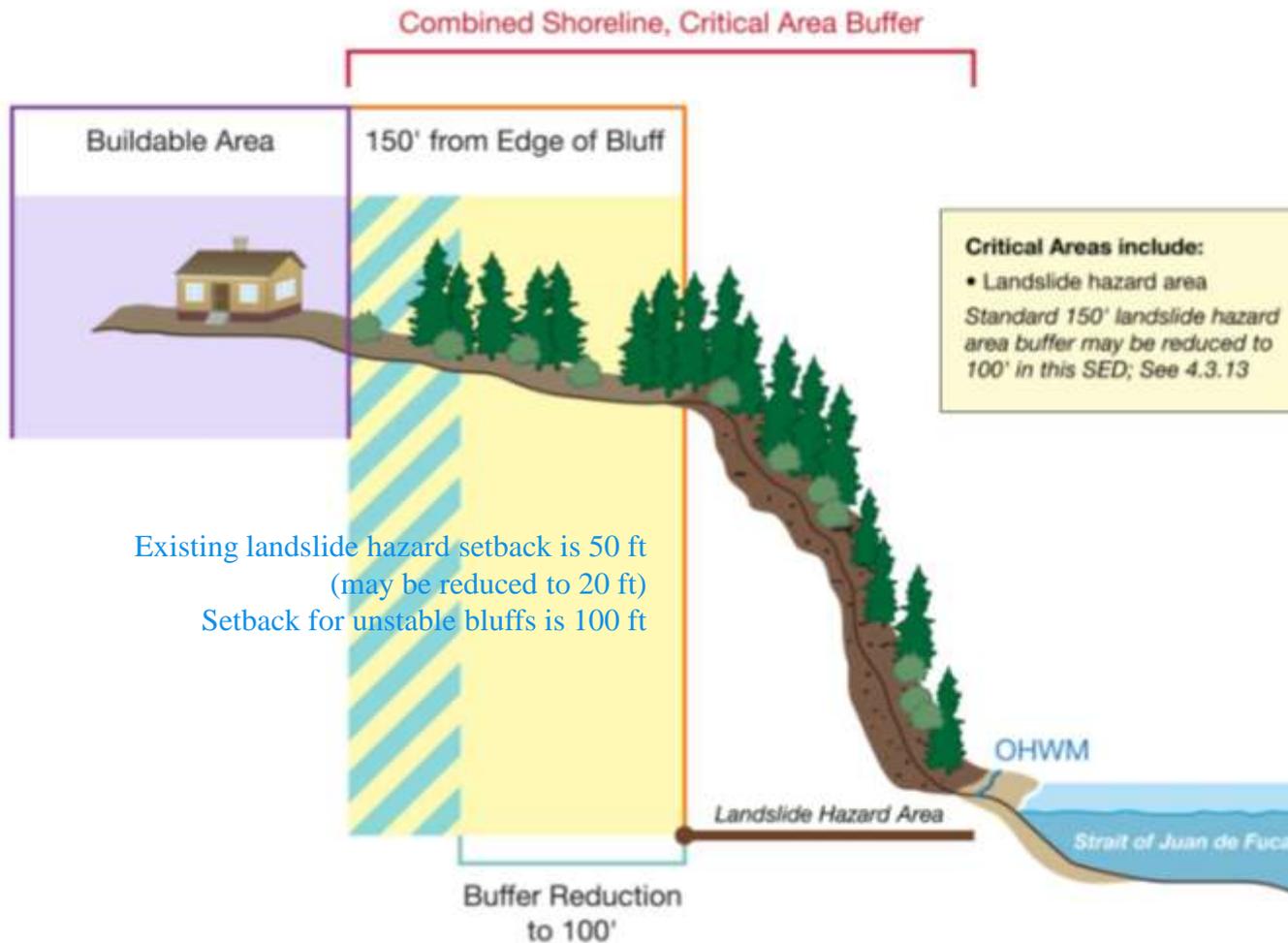
Priority Feeder Bluff

Shoreline / Critical Area Buffers





High Bank / Rocky Shore Shoreline / Critical Area Buffers



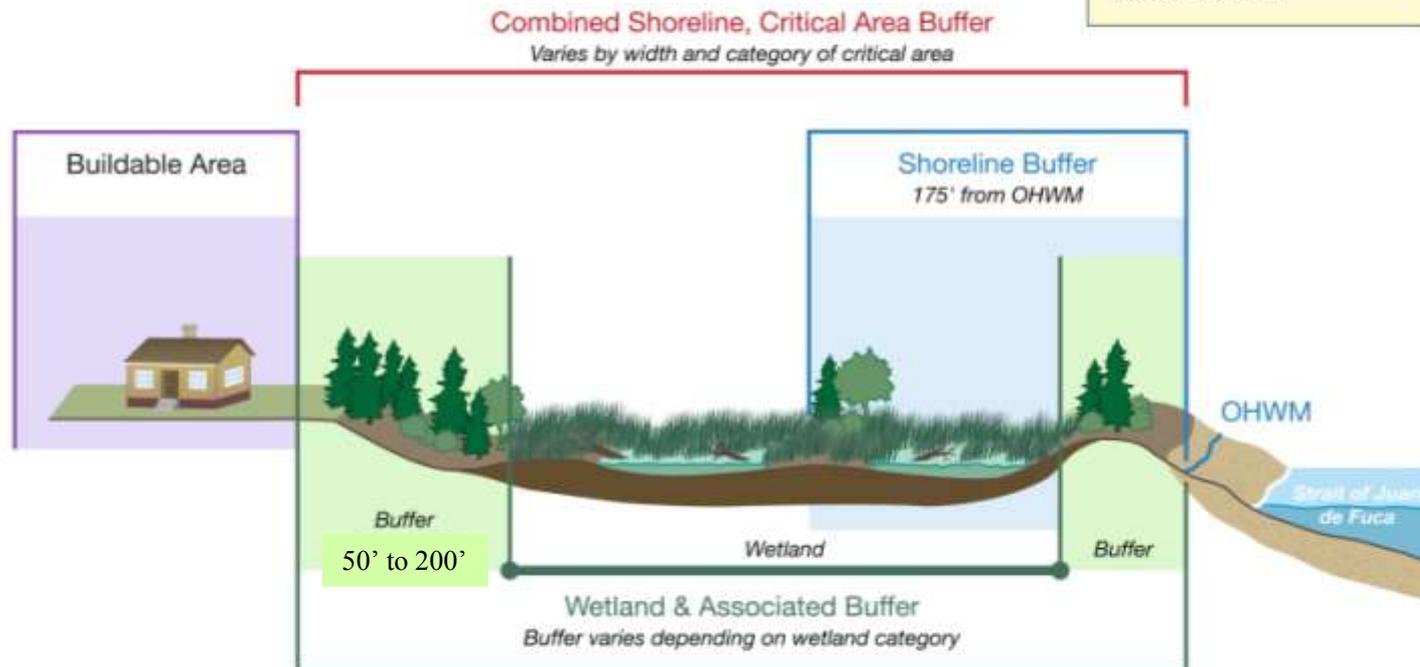
Lowland / Estuary

Shoreline / Critical Area Buffers

Critical Areas include:

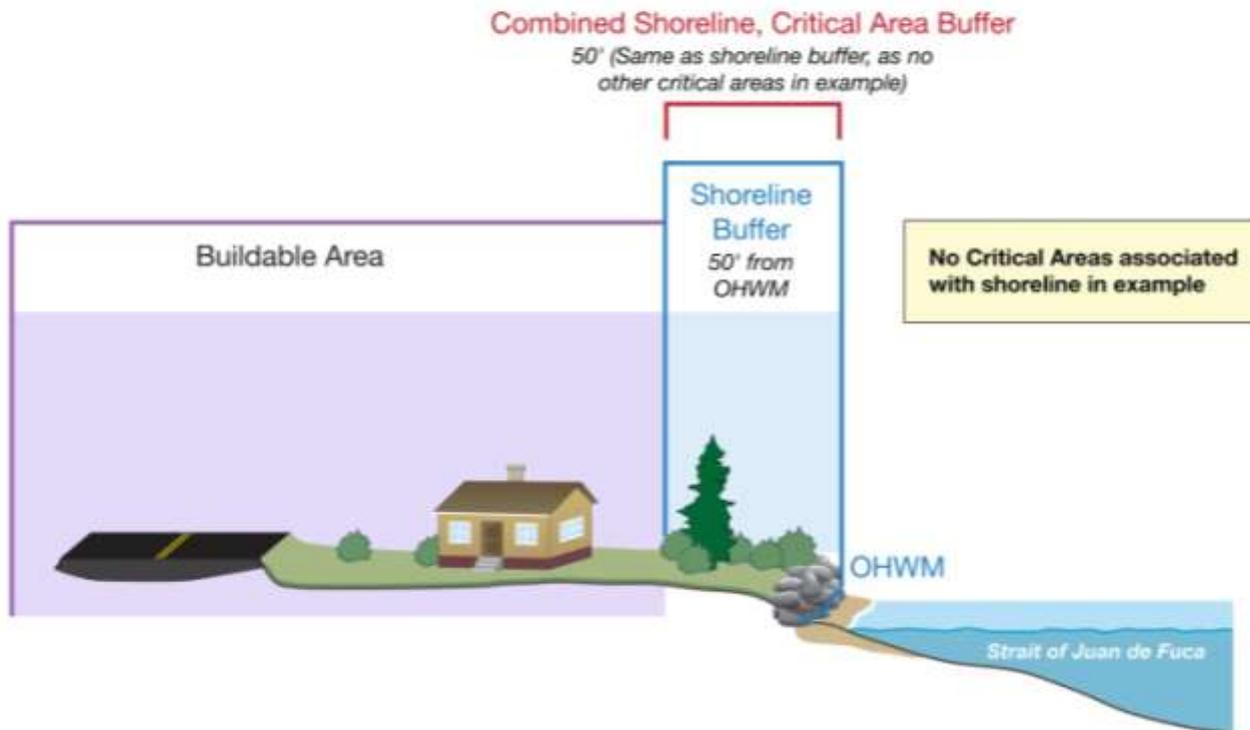
- Wetlands

Wetland buffer may be reduced or averaged;
See Section 4.3.5





Modified Lowland Shoreline / Critical Area Buffers



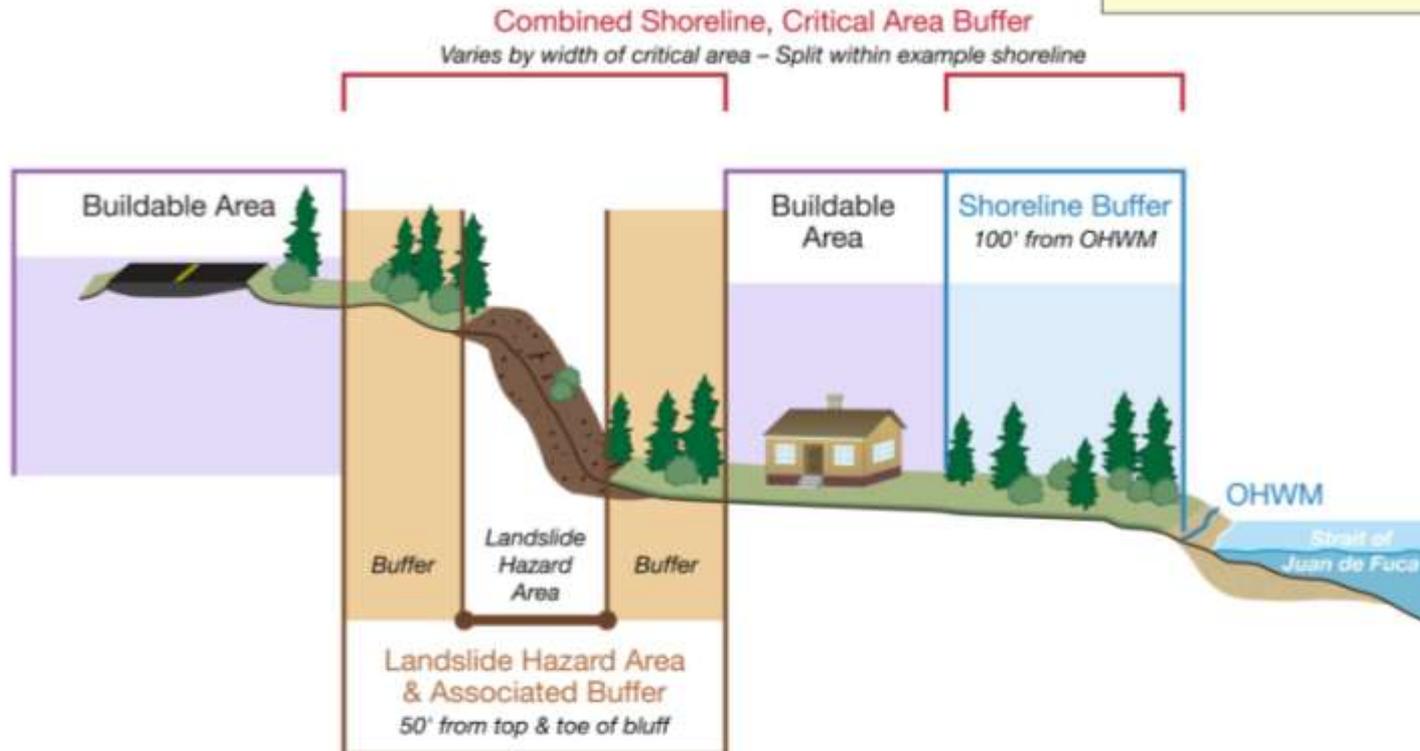
Bay

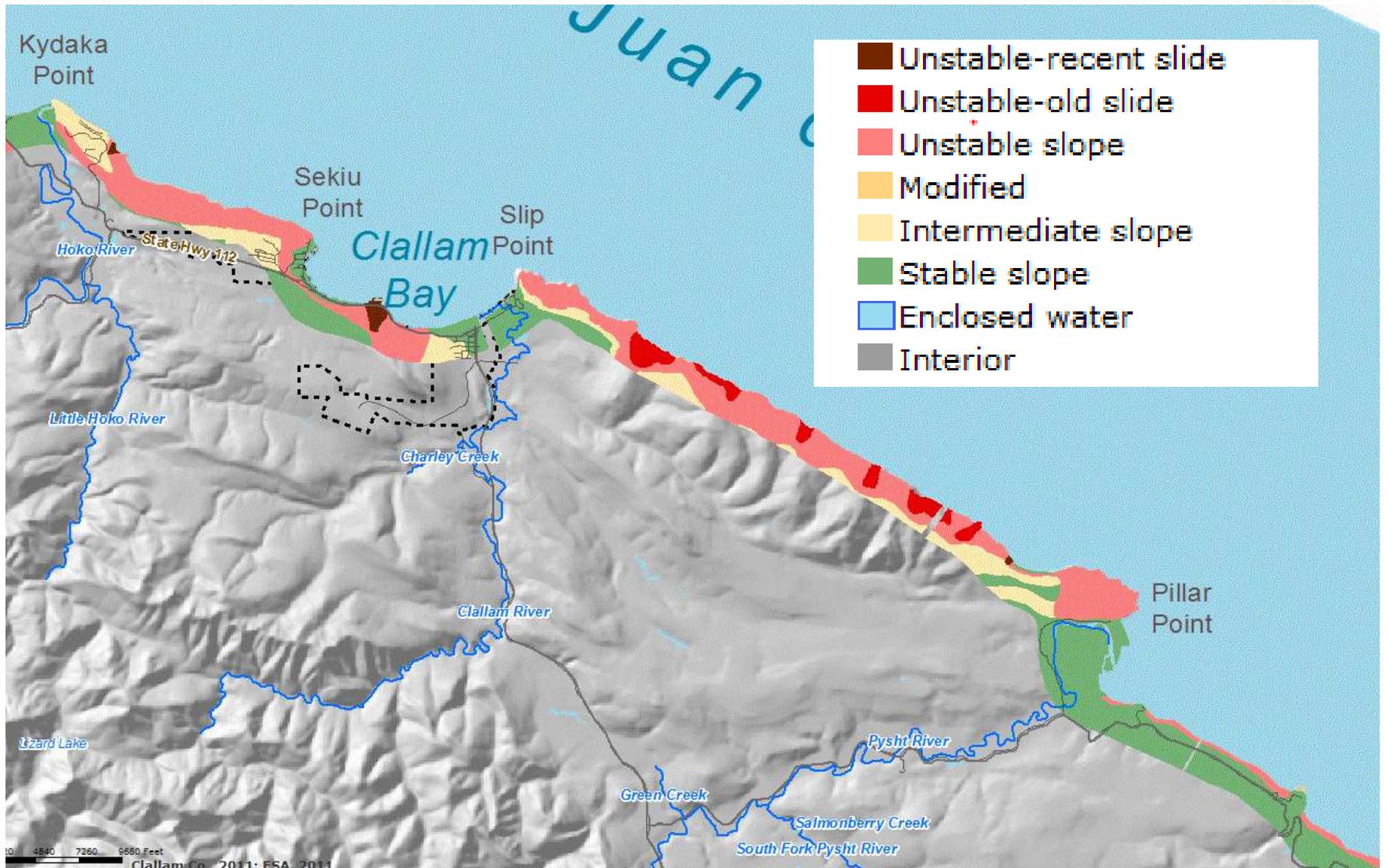
Shoreline / Critical Area Buffers

Critical Areas include:

- Landslide hazard area

Buffer can not be reduced in this SED; See 4.3.13



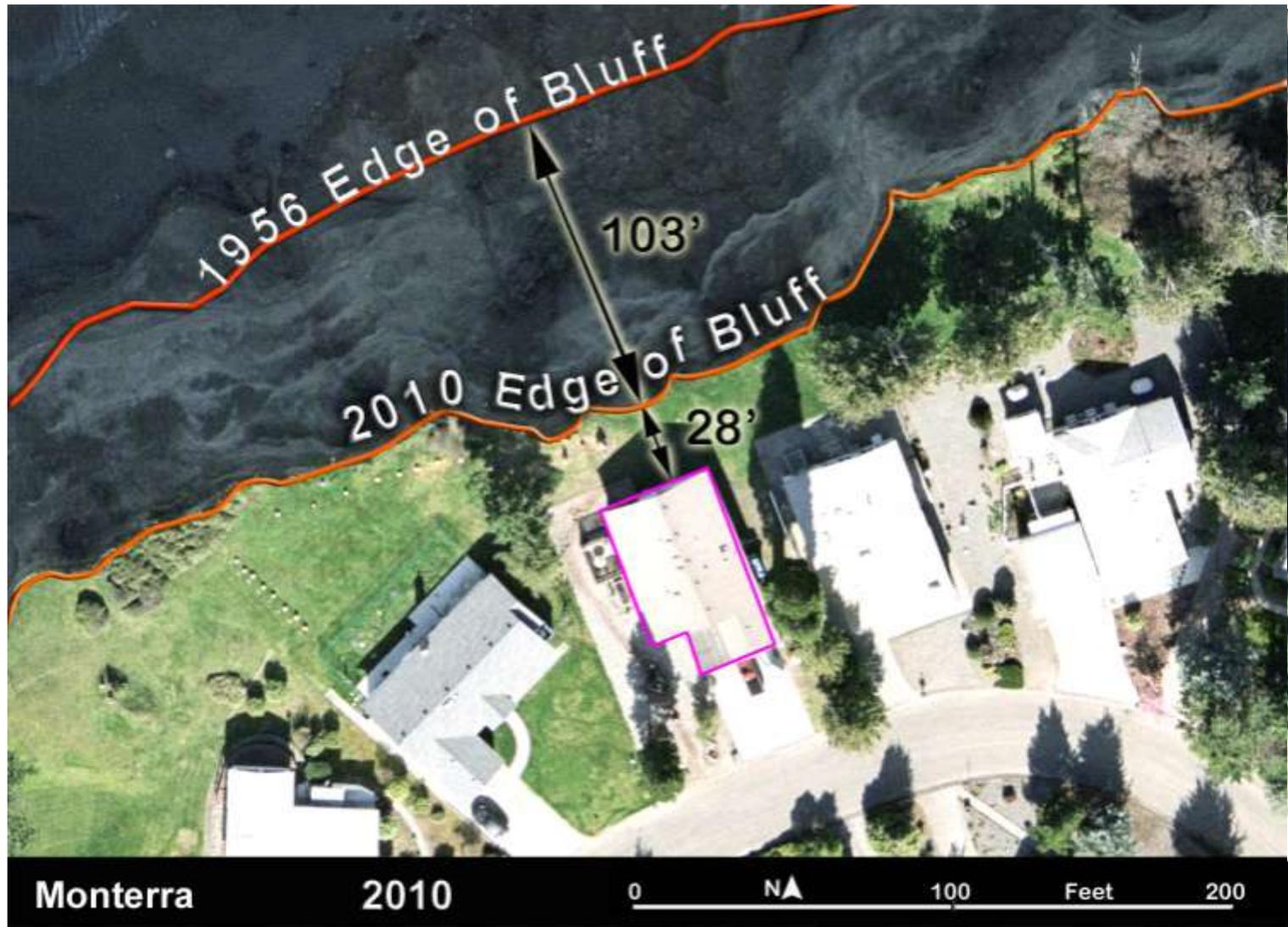




Why increase the buffers?



Why increase marine buffers?





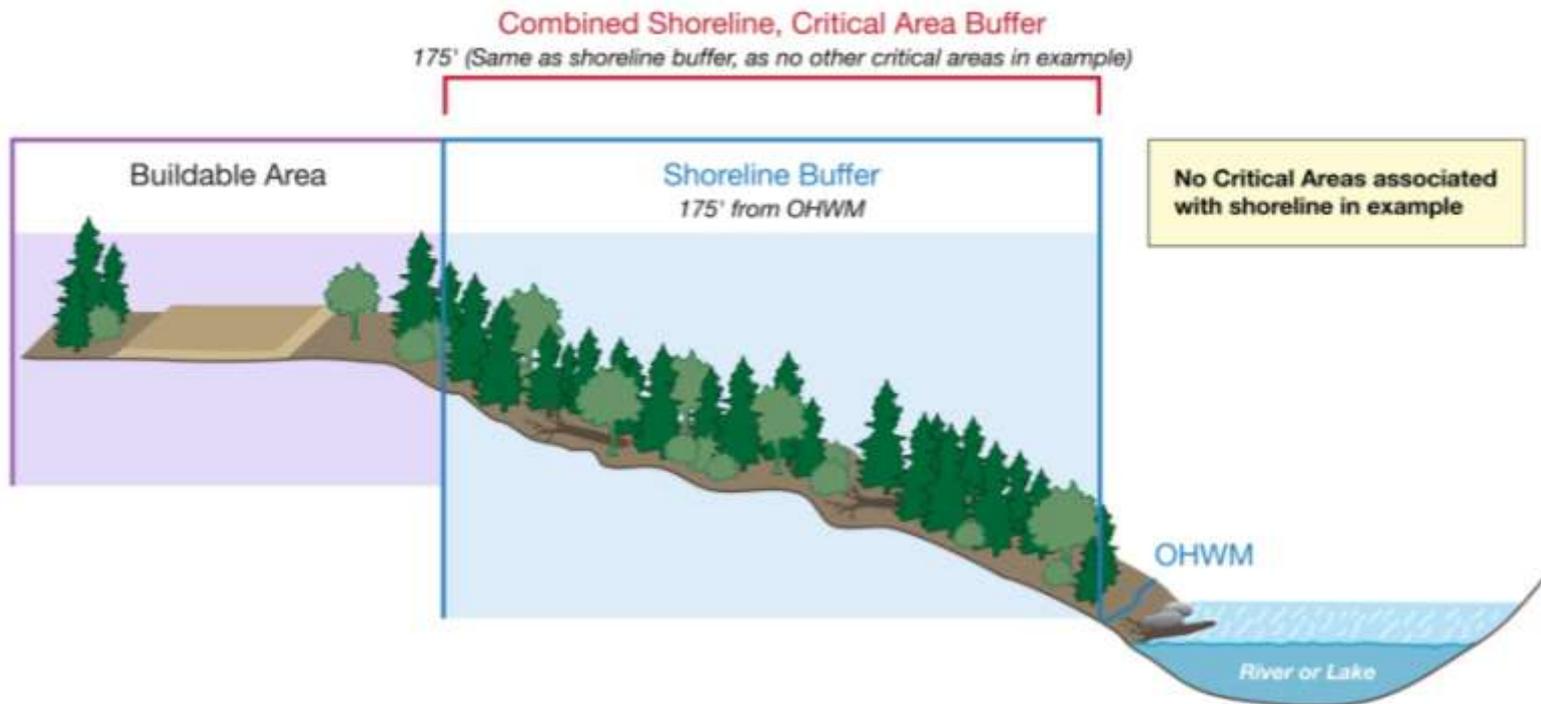
Buffer Comparison – Rivers and Lakes

New Designation	Single family home	
	Existing Buffers (feet)	Proposed Buffers (feet)
Freshwater Residential	50 (Rural) 35 (Suburban)	50 35 (Lake Sutherland)
Freshwater Conservancy	50 (Rural) 75 (Conservancy)	175
Freshwater Resource	50 (Rural) 75 (Conservancy) 150 (Natural – Lyre River, portions of Elwha)	150
Freshwater Natural	75 (Conservancy)	175

Current buffers can be increased to 300 ft if need to protect habitat

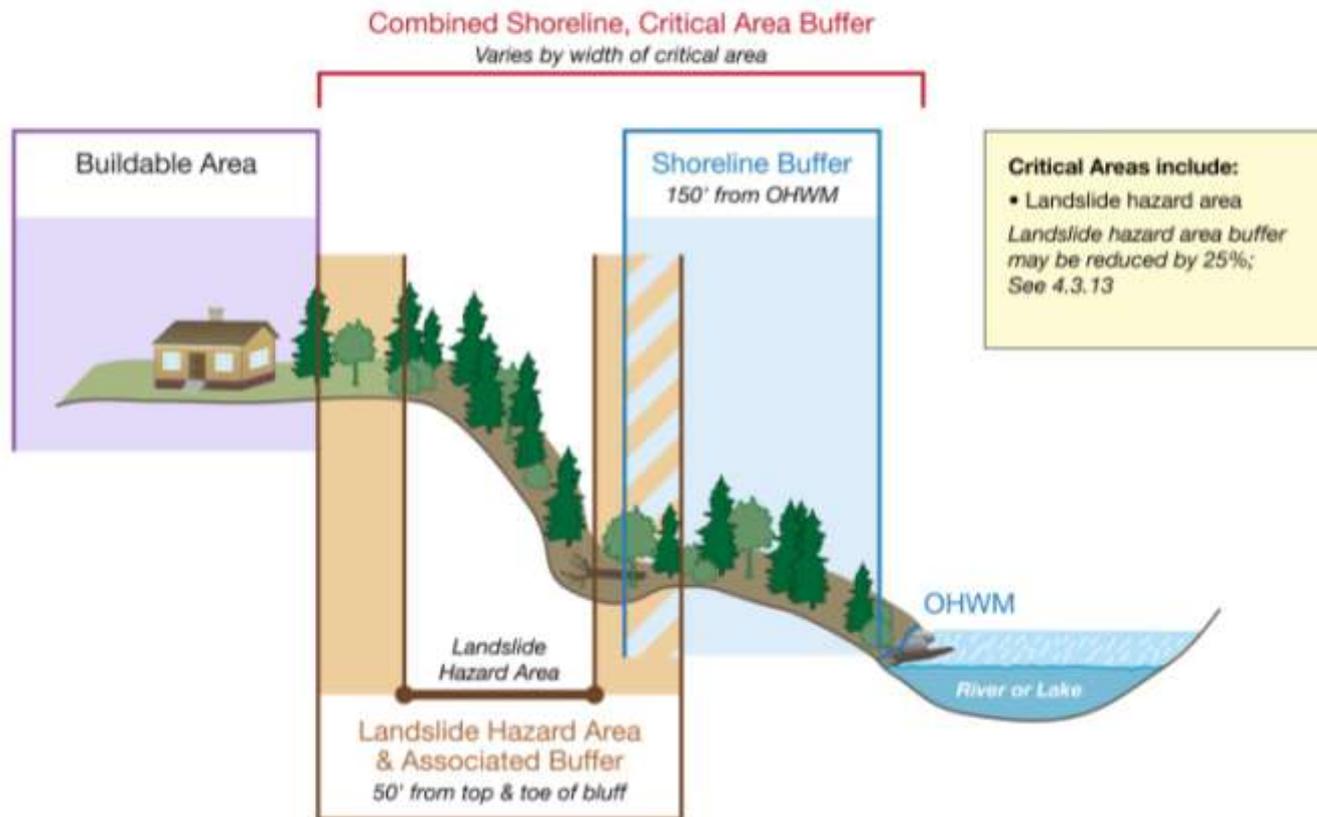


Freshwater Natural Shoreline / Critical Area Buffers



Freshwater Resource

Shoreline / Critical Area Buffers

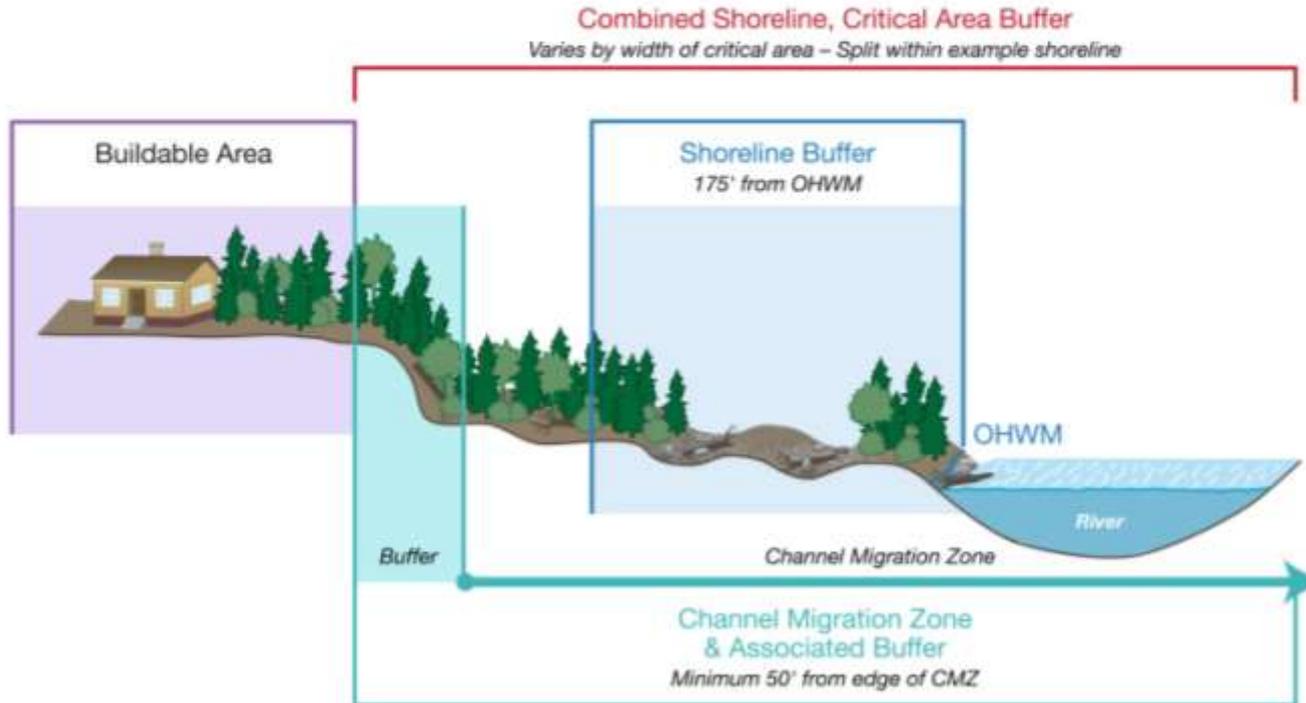


Freshwater Conservancy

Shoreline / Critical Area Buffers

Critical Areas include:

- Channel migration zone (CMZ)
CMZ may be reduced; See 4.2.4

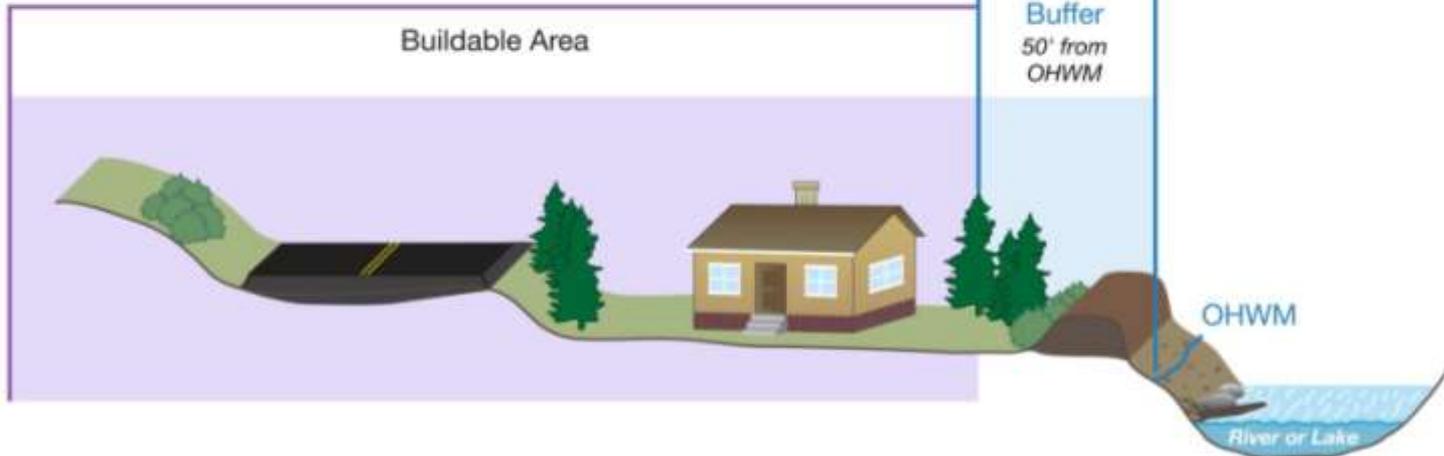




Freshwater Residential Shoreline / Critical Area Buffers

No Critical Areas associated with shoreline in example

Combined Shoreline, Critical Area Buffer
50' (Same as shoreline buffer, as no other critical areas in example)



Why increase buffers on rivers?

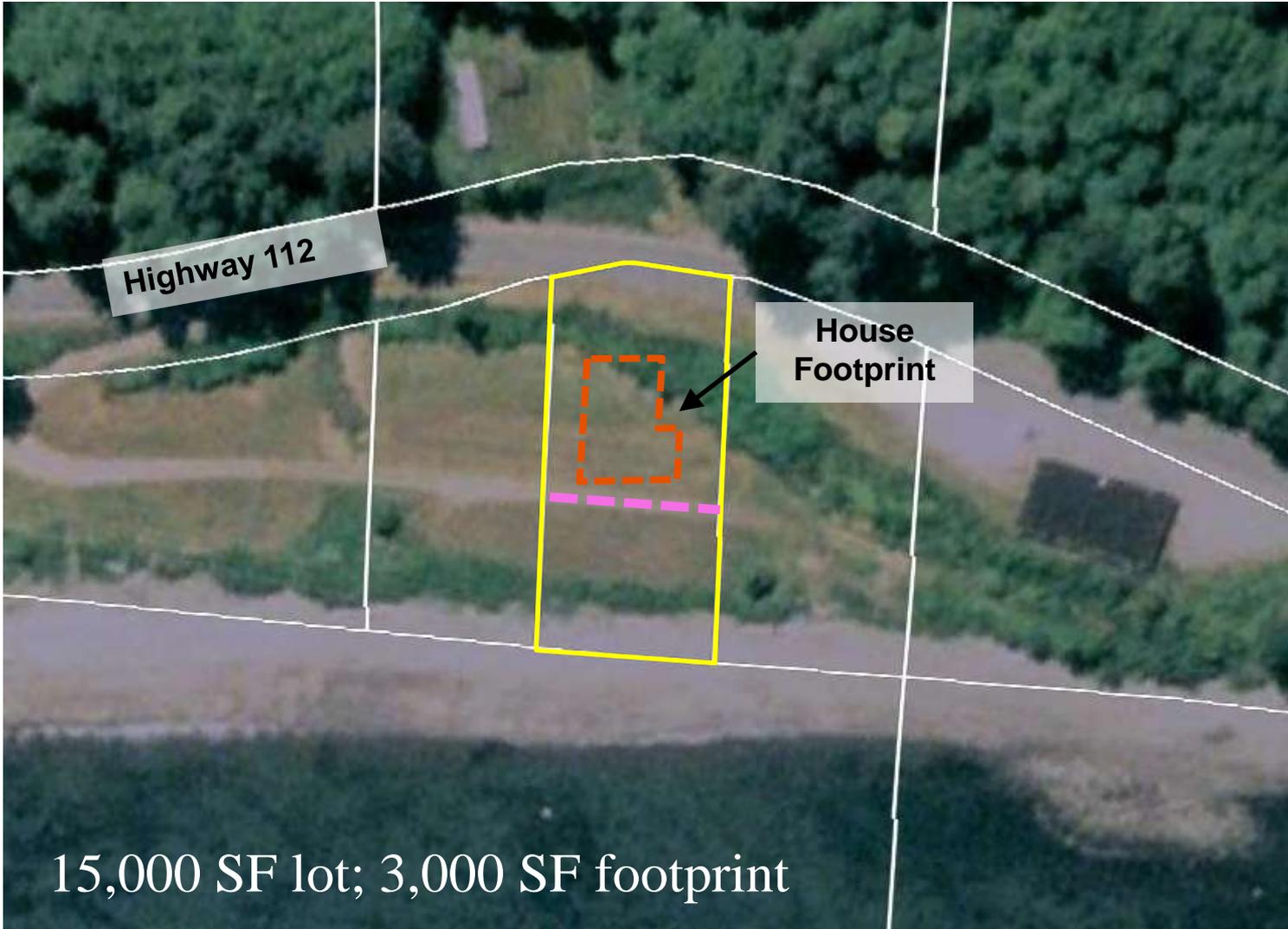




Case Study: Clallam Bay







15,000 SF lot; 3,000 SF footprint



Summary

- Development complies with buffer requirements
- Erosion Control Plan and compliance with Small Project Drainage Manual required
- No other mitigation required





Case Study: Kydaka Point



Designation = High Bank Rocky Shore







2 Acre lot; 4,000 SF footprint



Summary

- Development complies with buffer requirements; home is outside of SMP jurisdiction
- Shoreline vegetation is retained, with allowance for a view / access corridor
- No geotechnical studies or mitigation required





Vegetation Conservation

- Up to 20% of the buffer can be cleared for a view/ access
 - Selective cutting to maintain habitat values
- Planning Department can require vegetation plan that minimizes clearing of large trees



Buffer Implications – Bluffs

- 83% of parcels have 50' or more outside the 150' buffer
- Only 3 parcels are entirely constrained by the proposed buffer
- 11 of the 36 parcels that are constrained by the 150' buffer are already developed
- 54 parcels have structures that occur within the proposed 150' buffer. About ½ of these within 50 feet bluff edge



View Implications – Bluffs

- 29% of parcels have a 'cleared buffer'.
- Of the undeveloped parcels only 8 (6%) have a 'cleared buffer'



Armoring is only allowed when needed to:

- protect existing structures
- accommodate water dependent uses
- accommodate restoration efforts

Geotechnical report must show:

- Cause of erosion is wind or waves
- Nonstructural measures are not feasible or not sufficient
- Won't cause net loss of functions





Proposed Armoring Regulations

Structural Bulkheads Allowed with Conditional Use Permit	Structural Bulkheads Prohibited
FW Conservancy FW Residential Bay Modified Lowland	FW Natural FW Resource Priority Feeder Bluff Lowland Estuary High Bank Rocky Shore



Commercial Development

- Water-oriented development is preferred
- Non-water-oriented development only allowed if:
 - Separated from shoreline by another property or road
 - Part of a mixed-use that includes a water-dependent use
 - Shoreline is restored
- New development should include public access

Aquaculture

- Rapidly evolving area of science and policy
- Rules are different for bottom culture, hanging aquaculture, fin fish etc.
- Commercial geoduck harvest requires a conditional use permit, per state rules
- Net pens would require a conditional use permit





Existing developments are still “grandfathered”

- If damage is $< 50\%$ replacement cost, can rebuild “as is”
- If damage $> 50\%$, rebuild must conform to new rules
- Same as current zoning code





What happens next?

- Revise draft SMP based on committee & public comment
- Prepare Restoration Plan, Cumulative Impact Assessment and No Net Loss report
- Planning Commission work sessions
- Hold public hearings
- Send to County Commissions for review and hearings
- Ecology review (hearings, then approval)