



Photo: Ecology Coastal Atlas

# Clallam County Shoreline Master Program (SMP) Update

Sequim  
Public Forum

April 2012

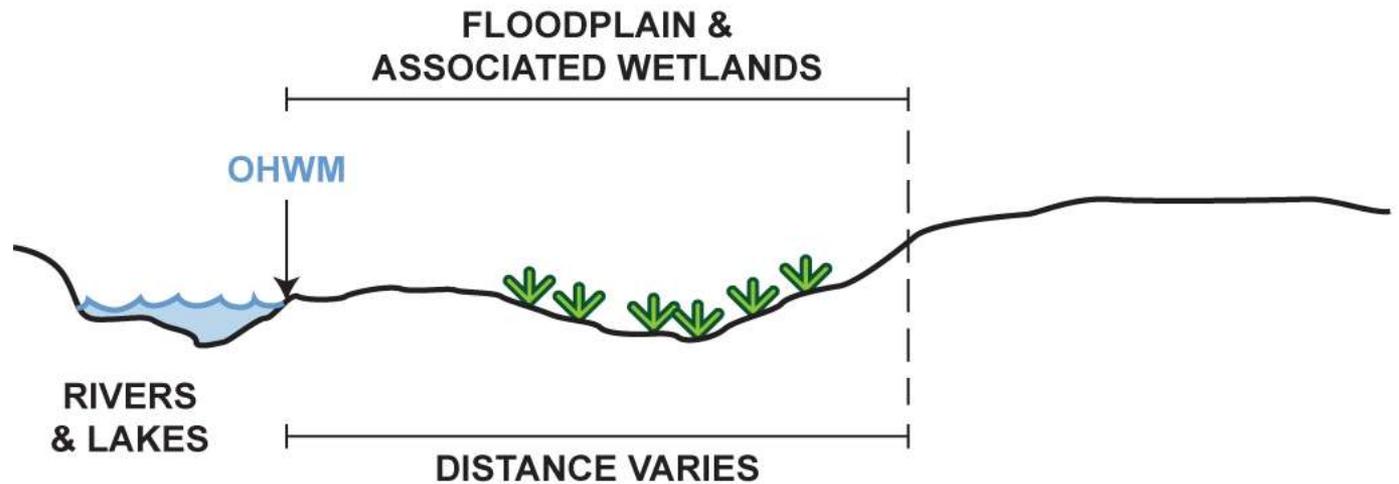
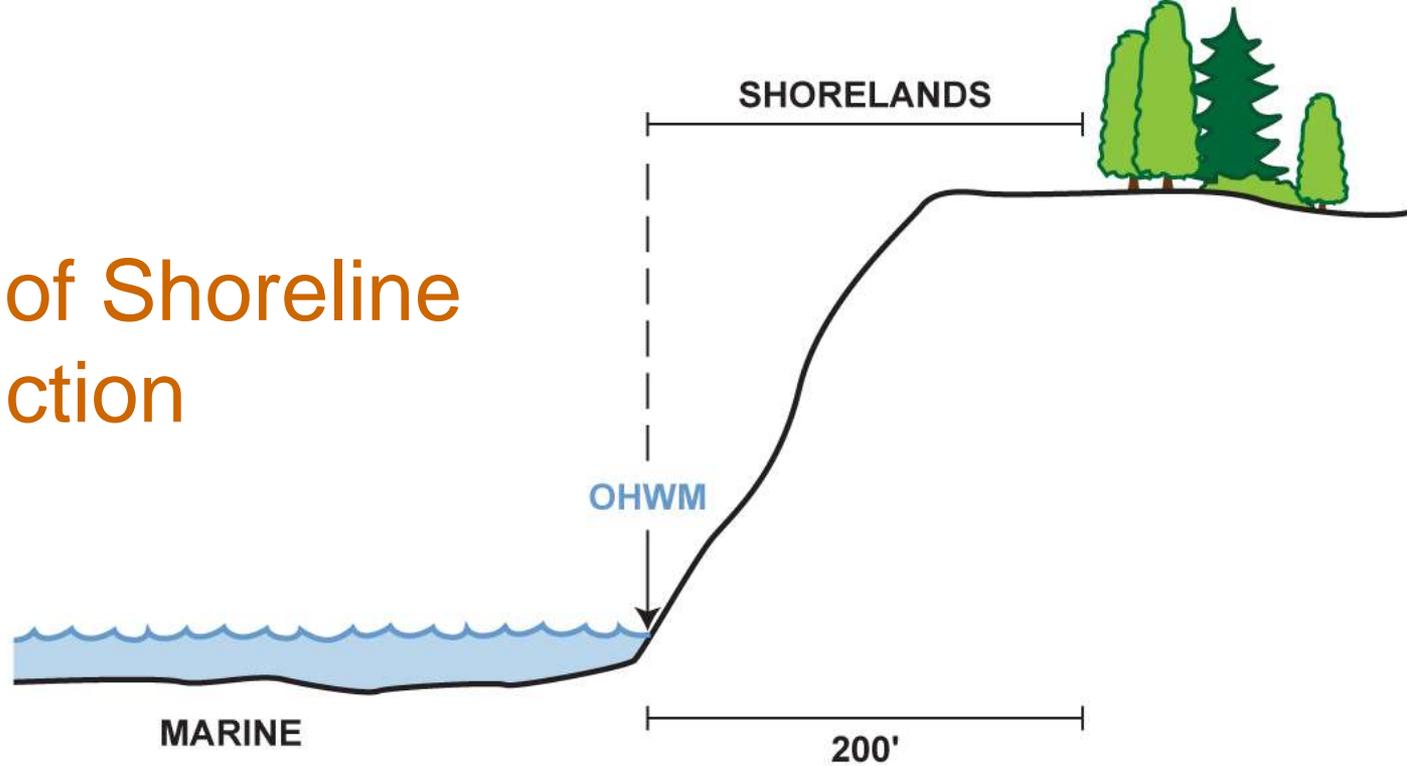




## Presentation Overview

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

# Limits of Shoreline Jurisdiction





## 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?

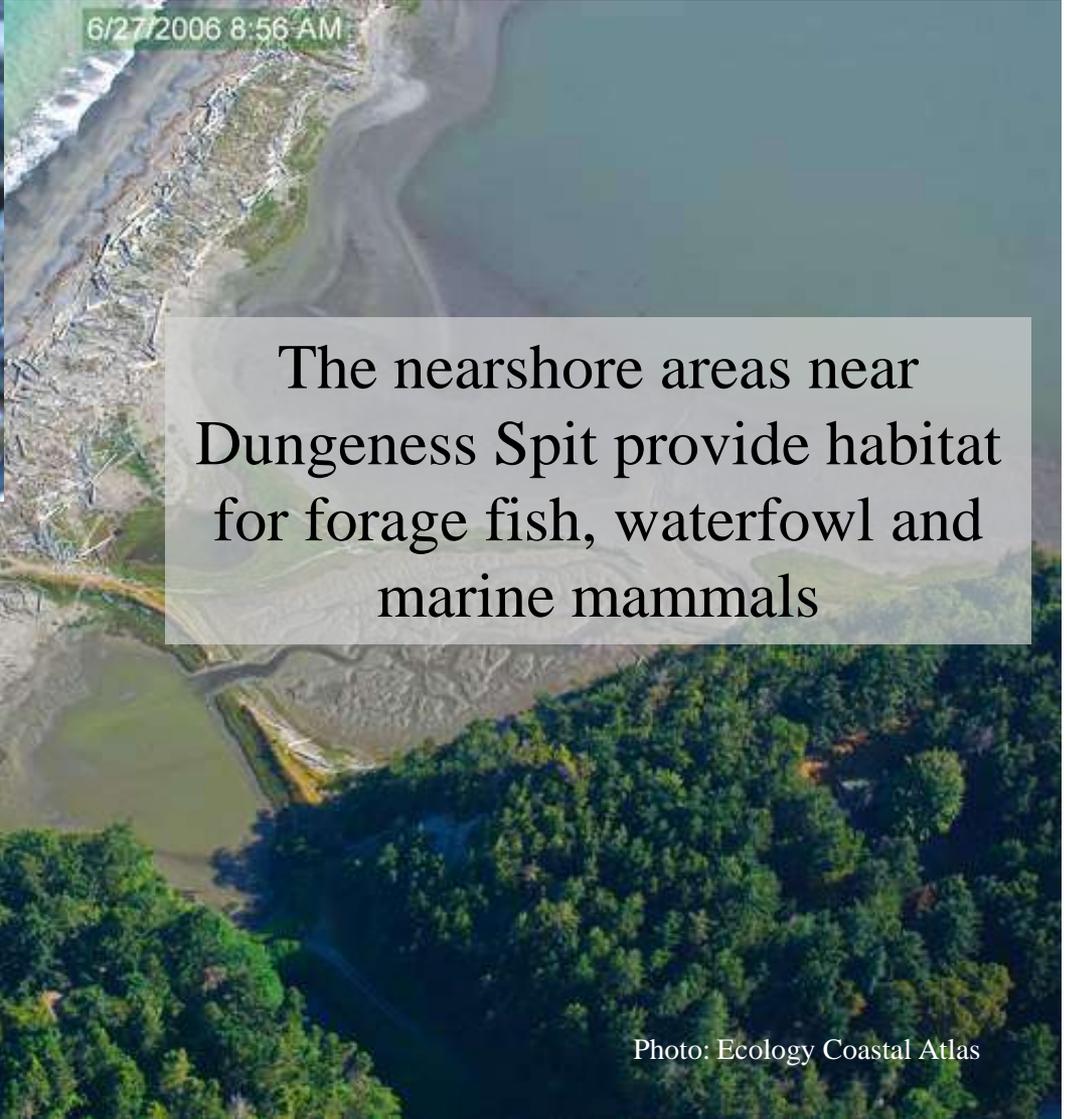
- Population has more than doubled since the '70s
- County wants to accommodate growth without damaging lands and waters
- We know more about flooding, erosion, and other hazards than before



The forested bluffs and beaches on the Miller Peninsula perform many important functions:



Photo: Ecology Coastal Atlas



The nearshore areas near Dungeness Spit provide habitat for forage fish, waterfowl and marine mammals

Photo: Ecology Coastal Atlas



# 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
- 9 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!**

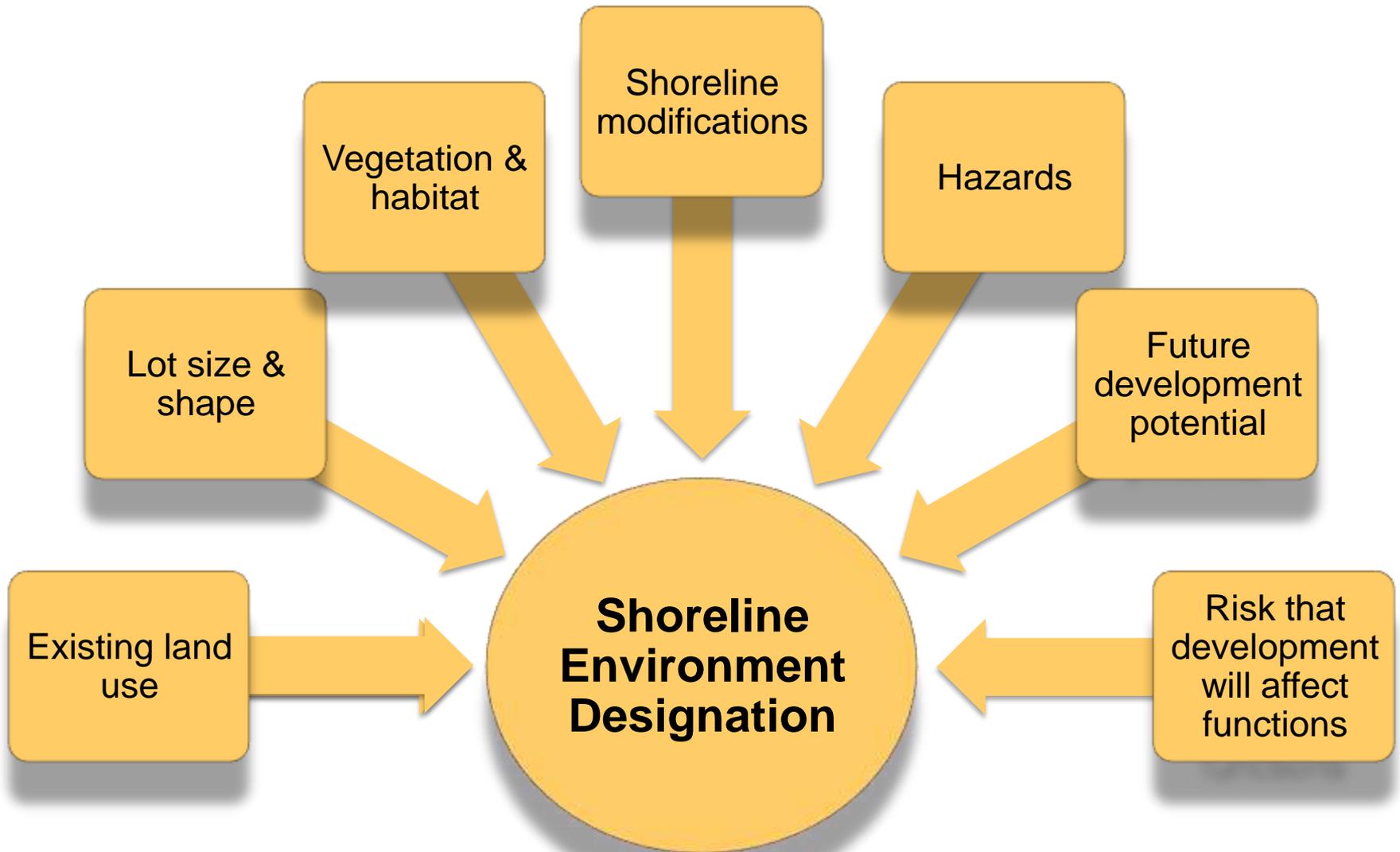


# What are Environment Designations?

- 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

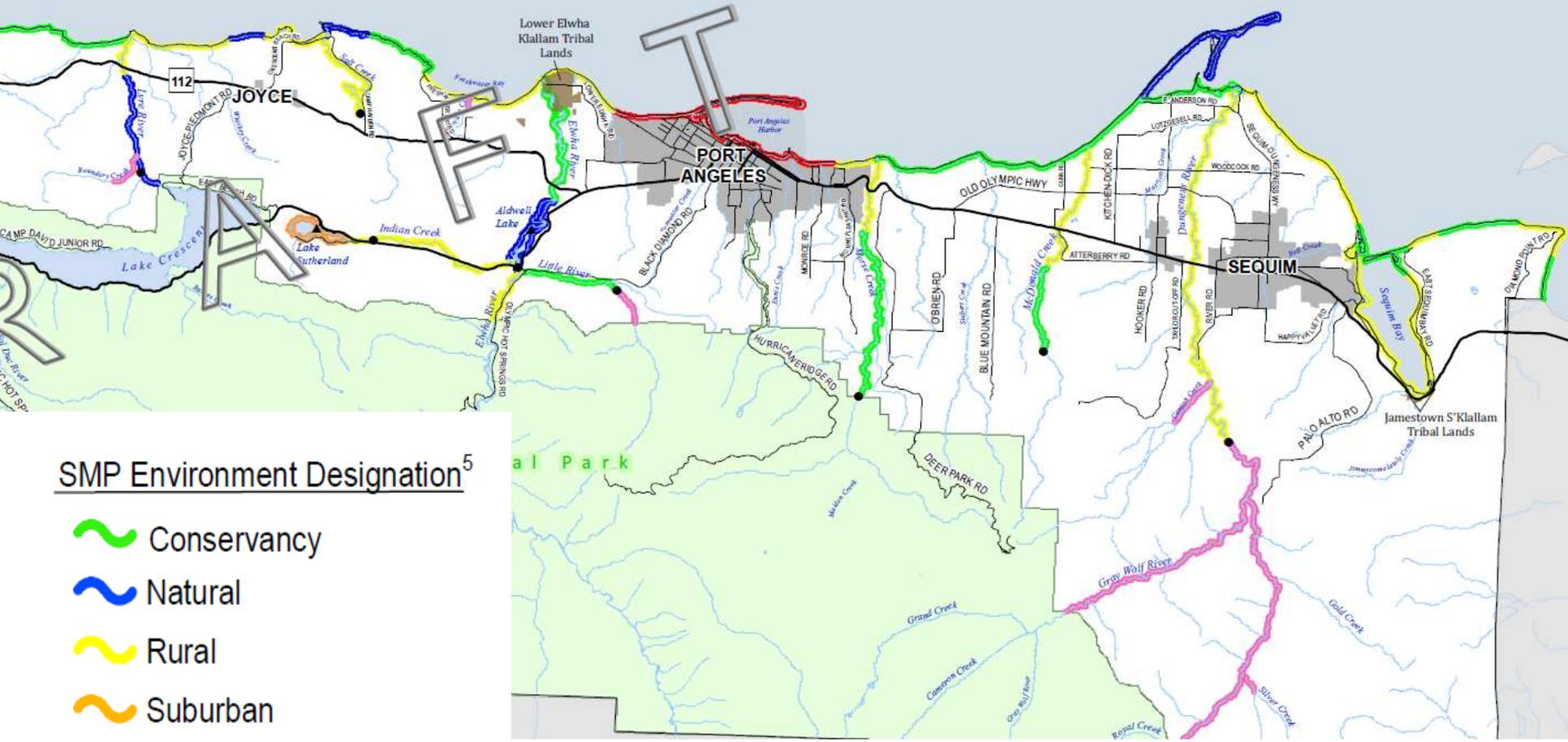
- Natural
- Conservancy
- Suburban
- Rural
- Urban

## Proposed Designations

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



# Existing Designations

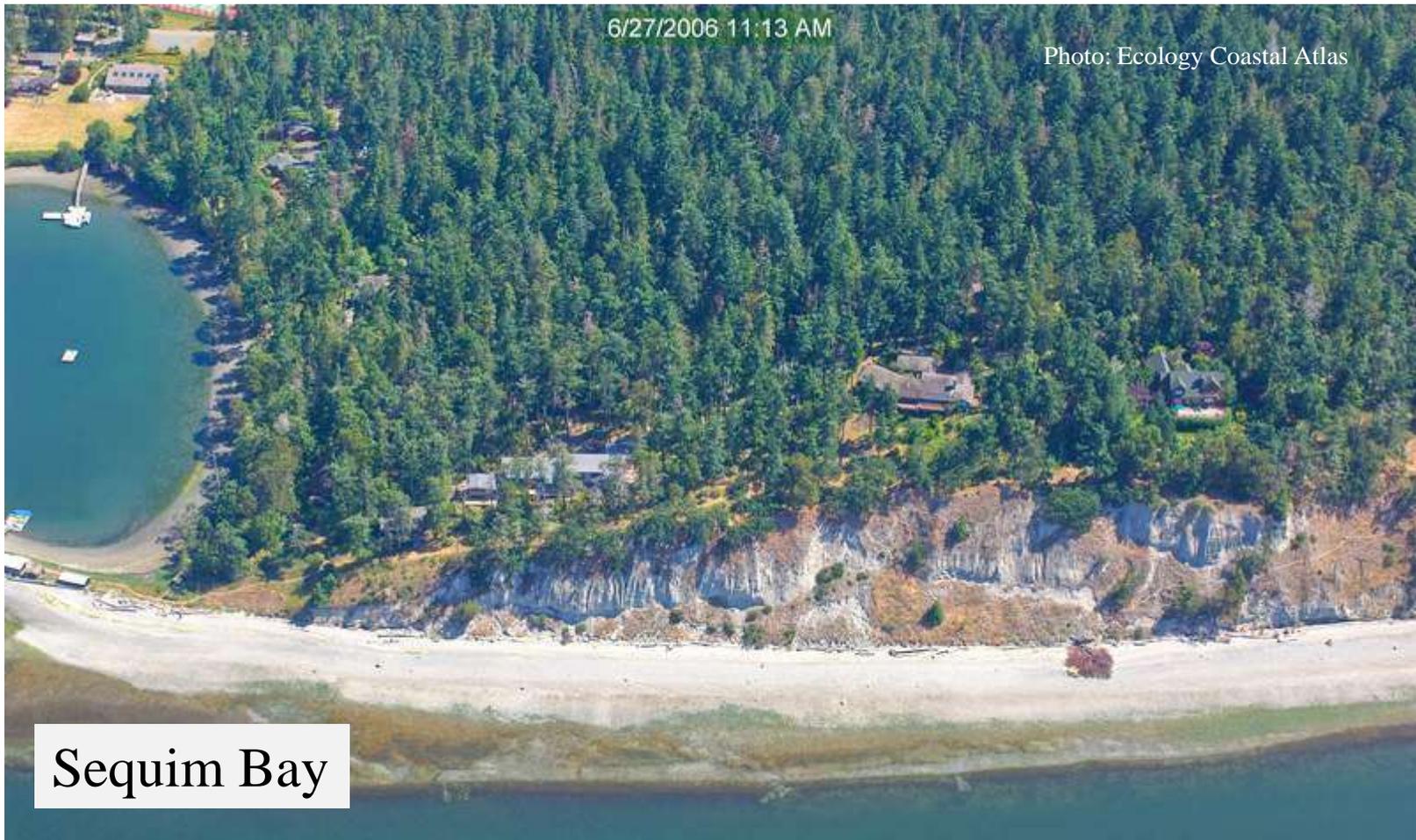


## SMP Environment Designation<sup>5</sup>

-  Conservancy
-  Natural
-  Rural
-  Suburban
-  Urban
-  No Designation<sup>6</sup>



# Priority Feeder Bluff



Sequim Bay



# High Bank / Rocky Shore



Photo: Ecology Coastal Atlas

Pillar Pt.



# Bay



West Sequim Bay



# Lowland Estuary





# Modified Lowland

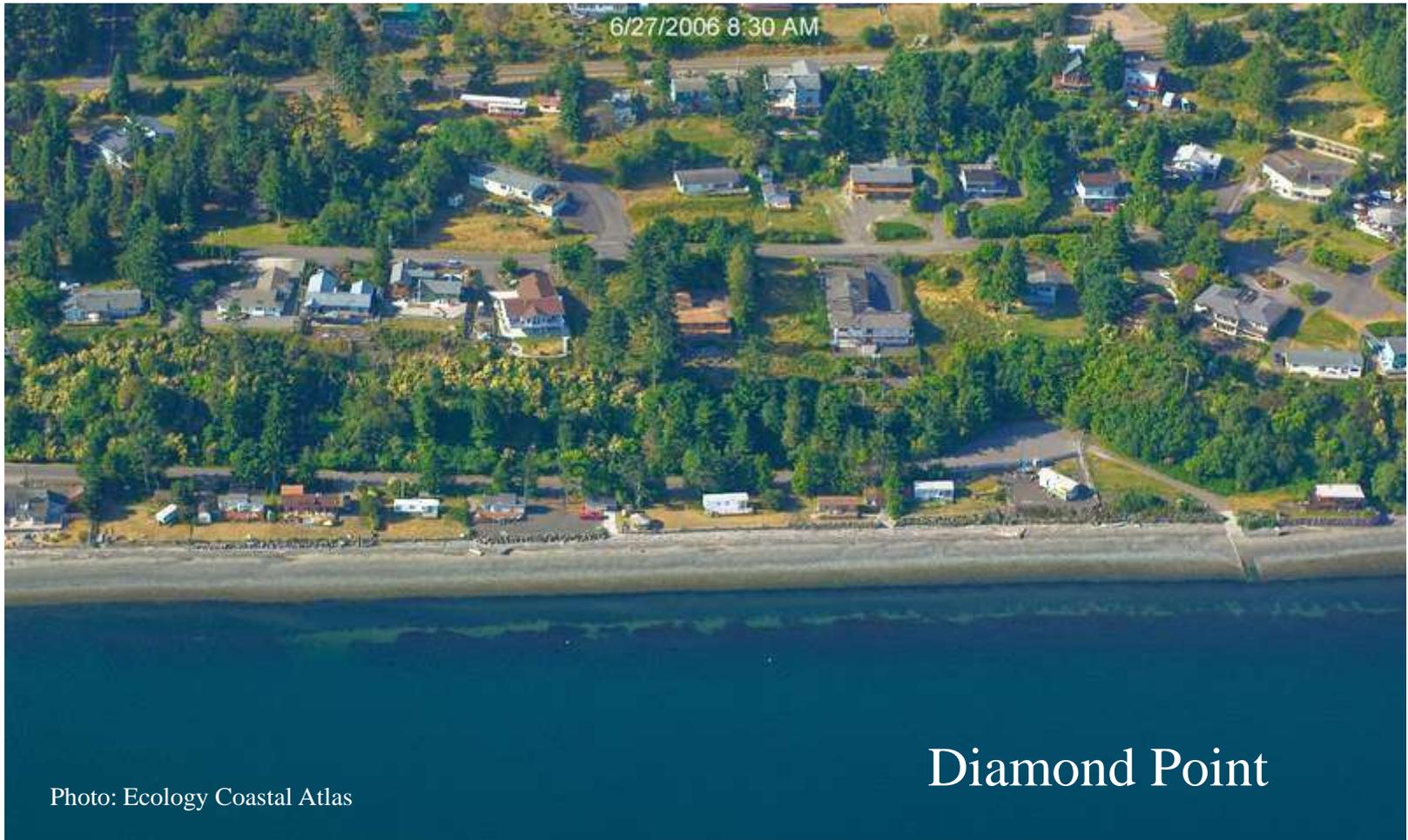


Photo: Ecology Coastal Atlas

Diamond Point



# Freshwater Natural



Elwha River



# Freshwater Conservancy



Dungeness River



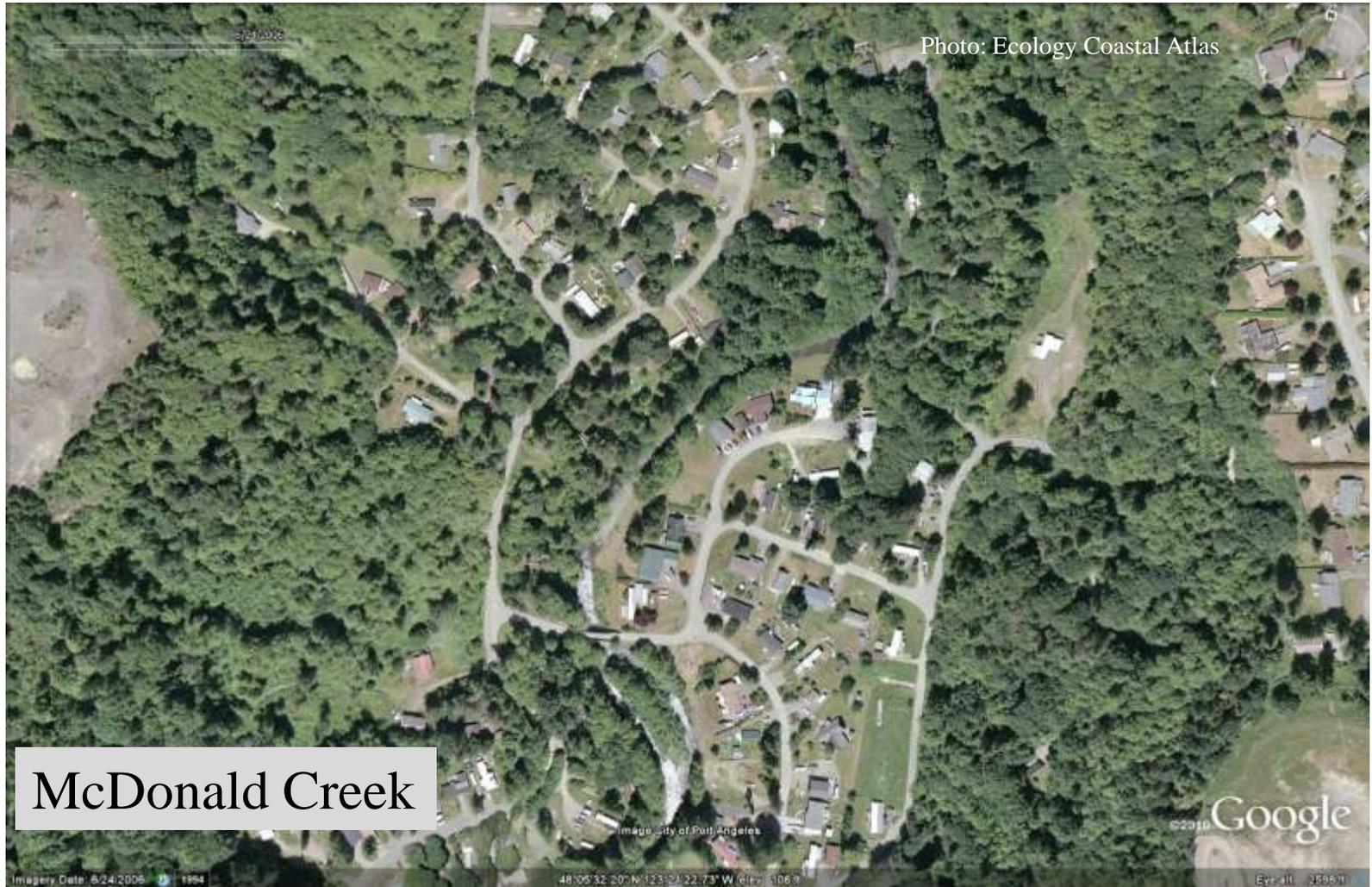
# Freshwater Resource



Hoko River



# Freshwater Residential





# Shoreline Uses Addressed in the SMP

- Agriculture
- Residential development
- Recreation
- Moorage / Boating facilities
- Shellfish cultivation & harvest
- Commercial development
- Bulkheads/armoring
- Forest practices
- Utilities
- Dredging



## 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



## Existing buffers/setbacks – Marine

- Existing lots on marine bluffs:
  - 50 to 150 ft from ordinary high water mark (depends on existing designation)
  - 50 ft from top edge of bluff in landslide hazard areas (can be reduced with geotechnical study)
  - 100 ft or height of bluff on unstable bluffs
- Existing lots low bank shores:
  - 50 to 150 ft from ordinary high water mark (depends on existing designation)
- New lots require a 150 ft buffer

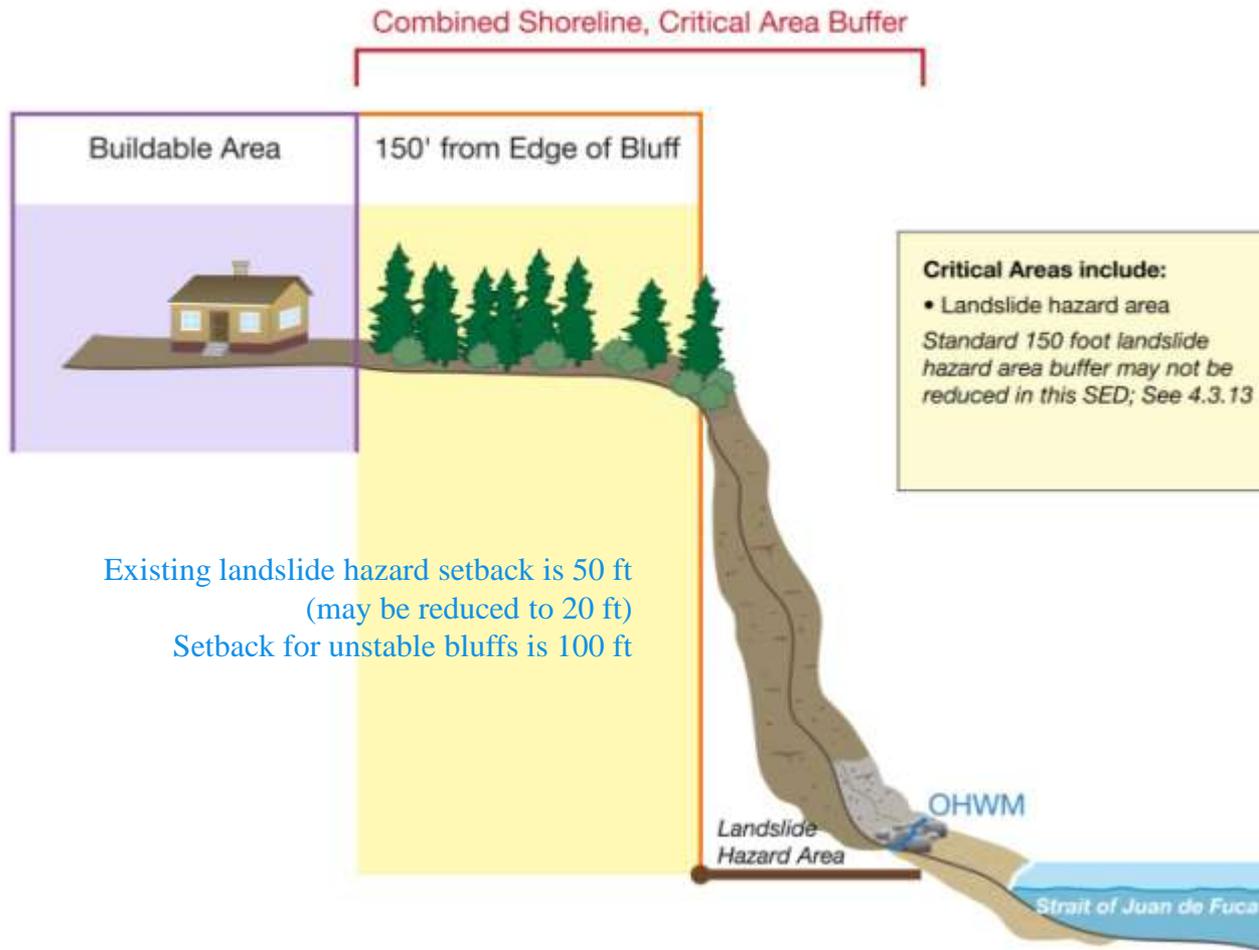


## Proposed buffers - Marine

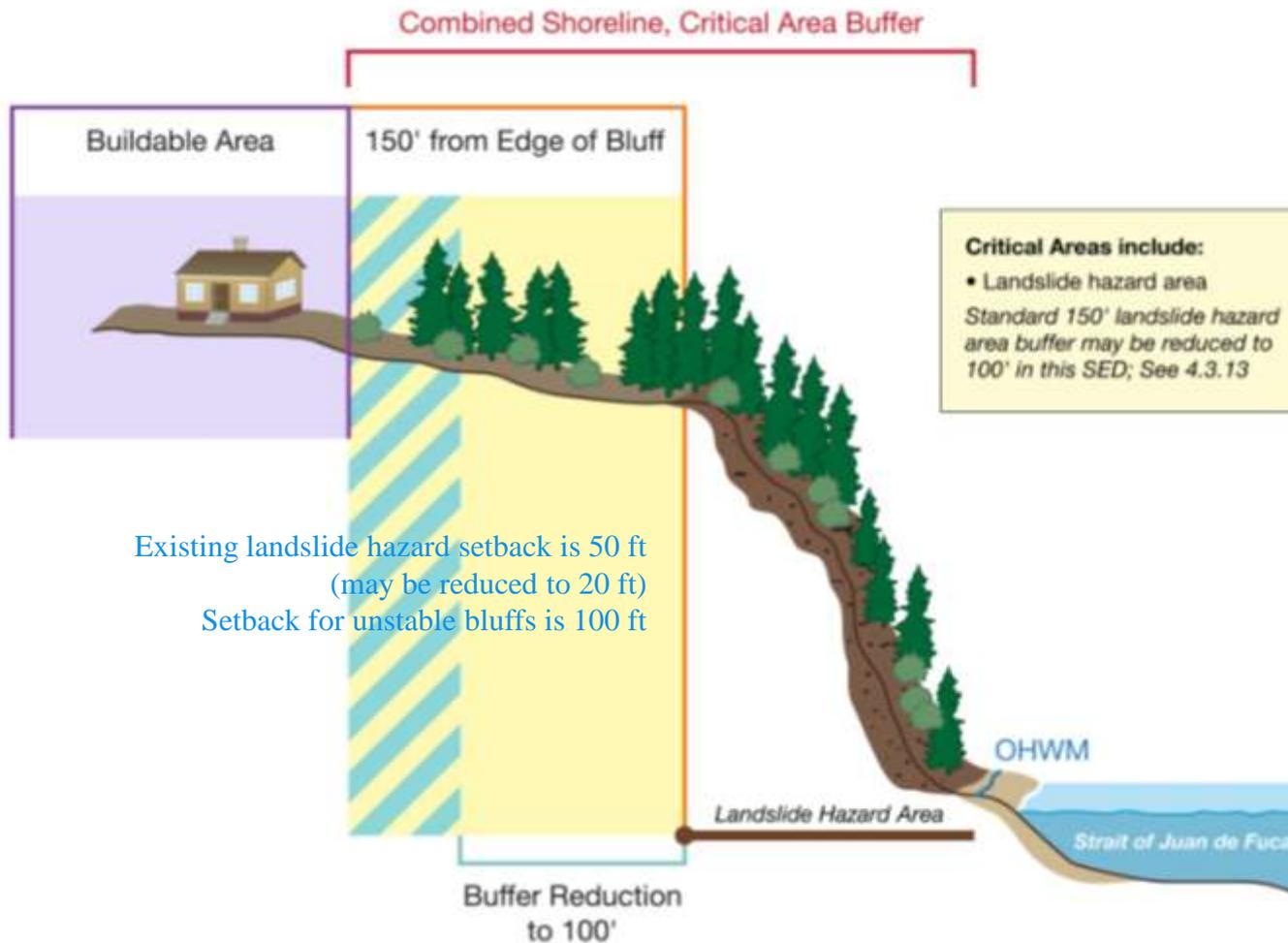
- Overlapping buffers:
  - Buffer from ordinary high water line = 50, 100 or 150 ft depending on designation
  - Buffer from top of bluff = 150 ft from edge of bluff
  - Buffers from other critical areas, if present

# Priority Feeder Bluff

## Shoreline / Critical Area Buffers



# High Bank / Rocky Shore Shoreline / Critical Area Buffers



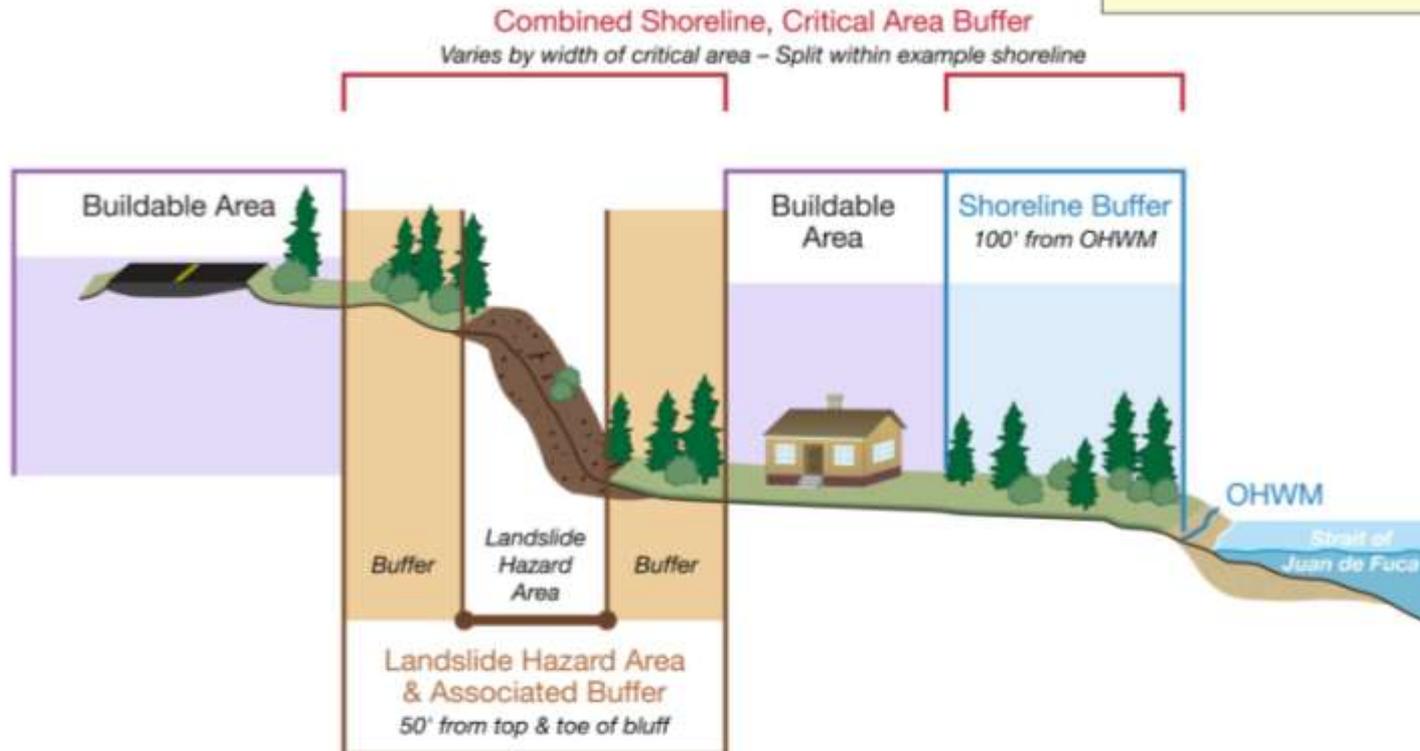
# Bay

## Shoreline / Critical Area Buffers

**Critical Areas include:**

- Landslide hazard area

*Buffer can not be reduced in this SED; See 4.3.13*





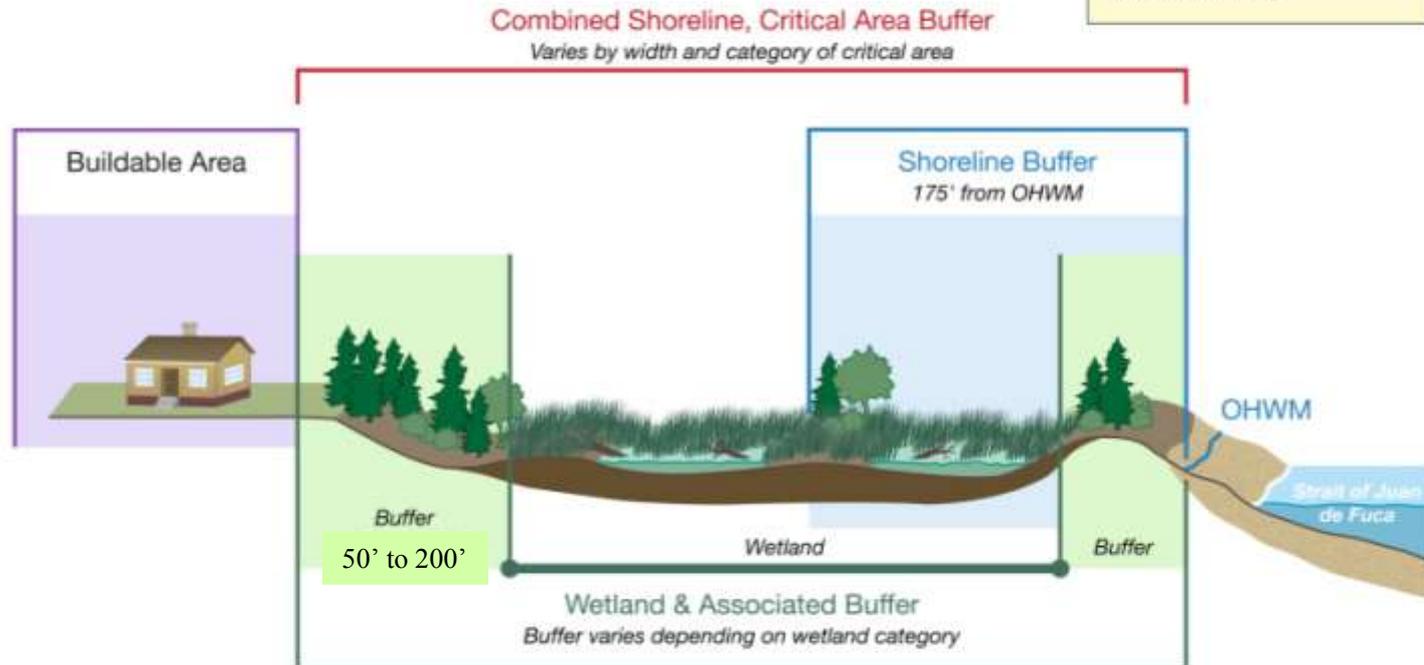
# Lowland / Estuary

## Shoreline / Critical Area Buffers

**Critical Areas include:**

- Wetlands

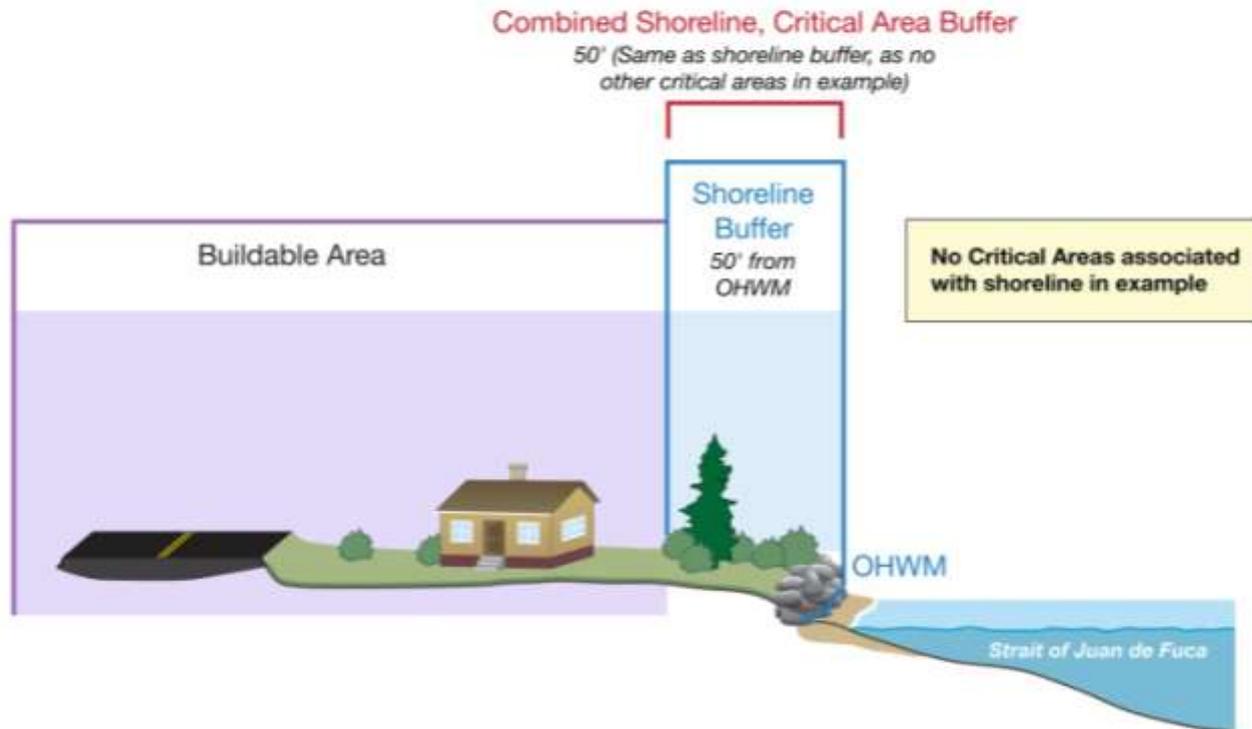
Wetland buffer may be reduced or averaged;  
See Section 4.3.5





# Modified Lowland

## Shoreline / Critical Area Buffers

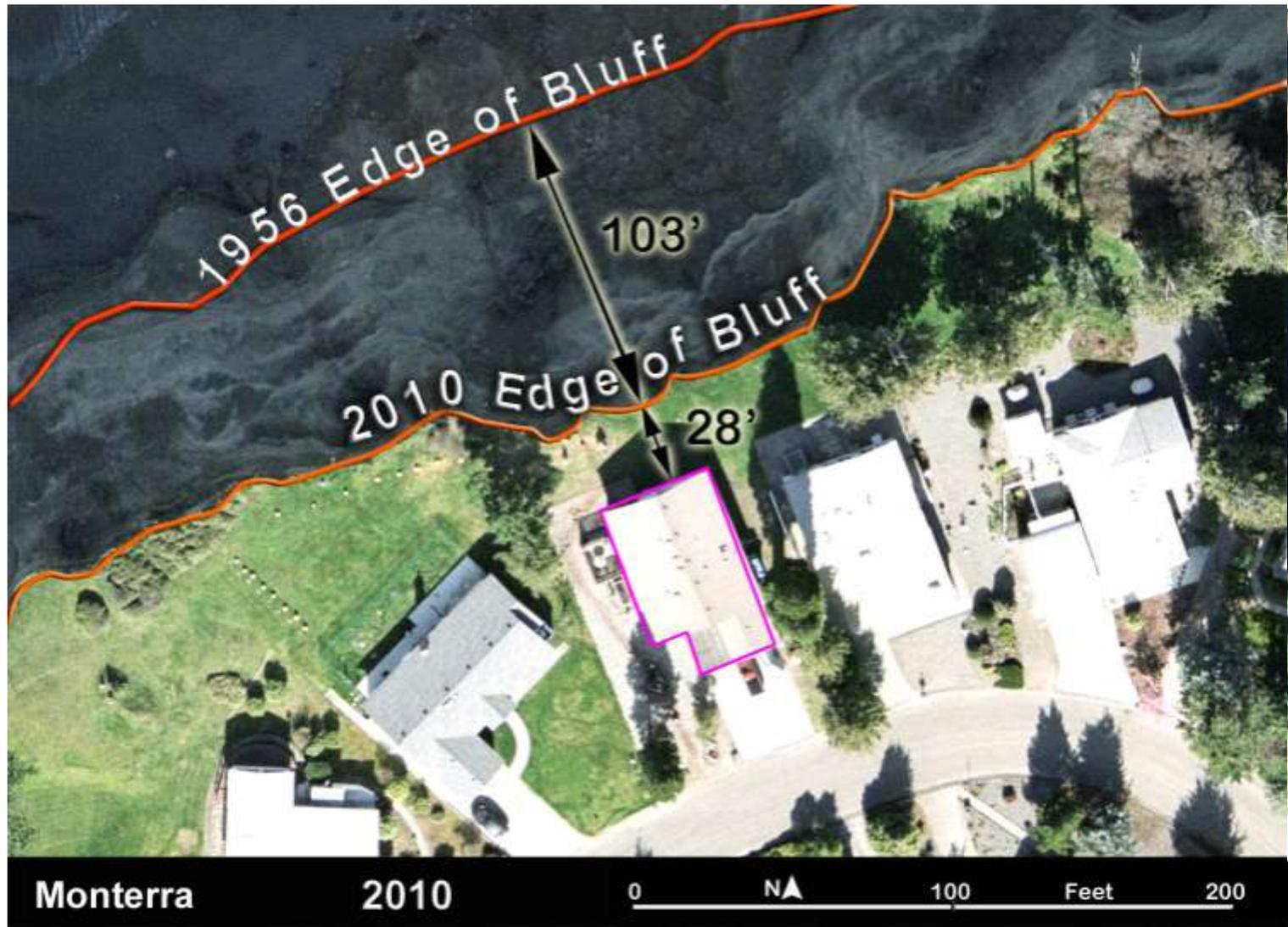




# Why increase the buffers?



# Why increase marine buffers?





## Existing buffers/setbacks – Rivers and Lakes

- Existing lots on rivers & lakes:
  - 35 to 150 ft from ordinary high water mark (depends on existing designation)
  - 50 ft from top edge of bluff in landslide hazard areas (can be reduced with geotechnical study)
  - Limits on development within channel migration zones
- New lots require a 150 ft buffer

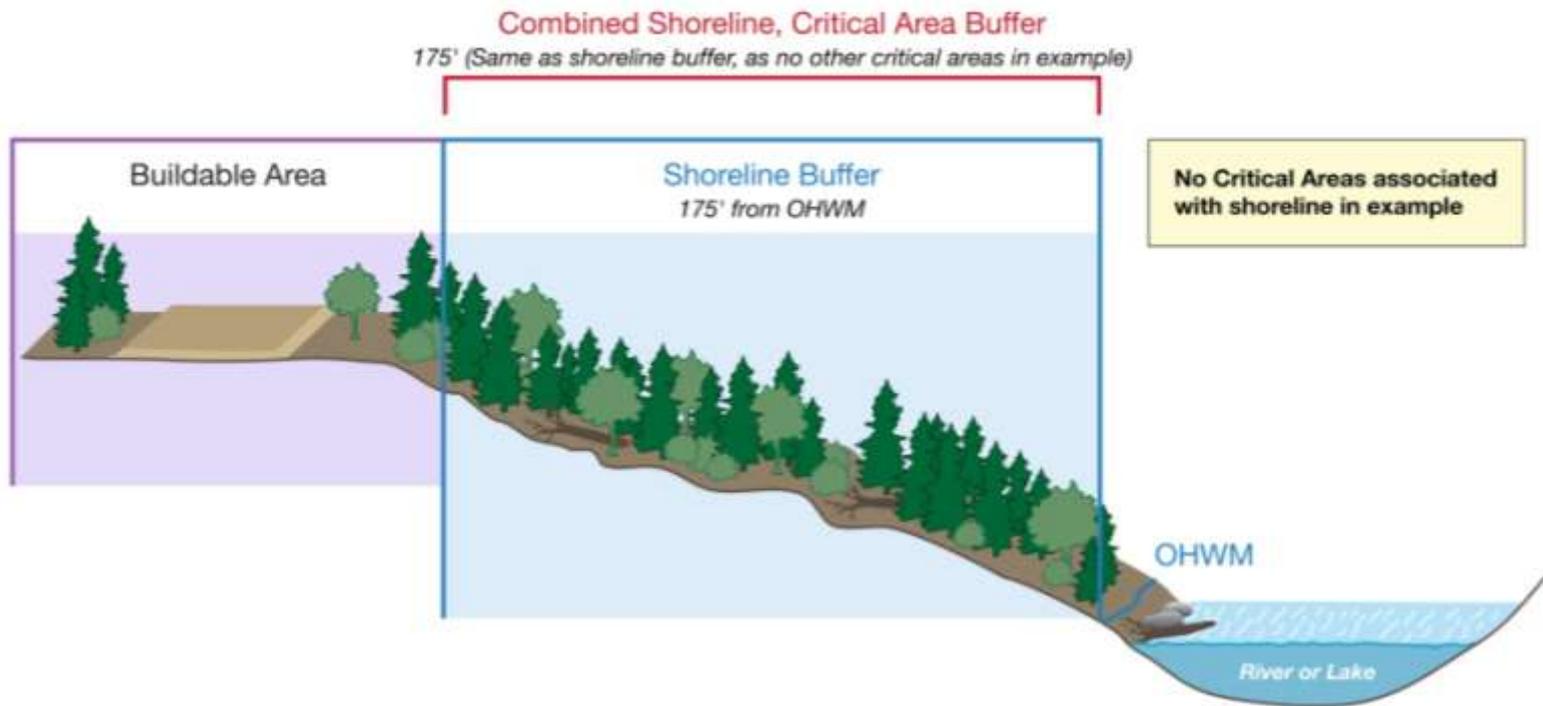


## Proposed buffers – Rivers and Lakes

- Overlapping buffers:
  - Buffer from ordinary high water line = 50 to 175 ft depending on designation
  - Buffer from edge of critical areas, if present
    - landslide hazards
    - channel migration zones

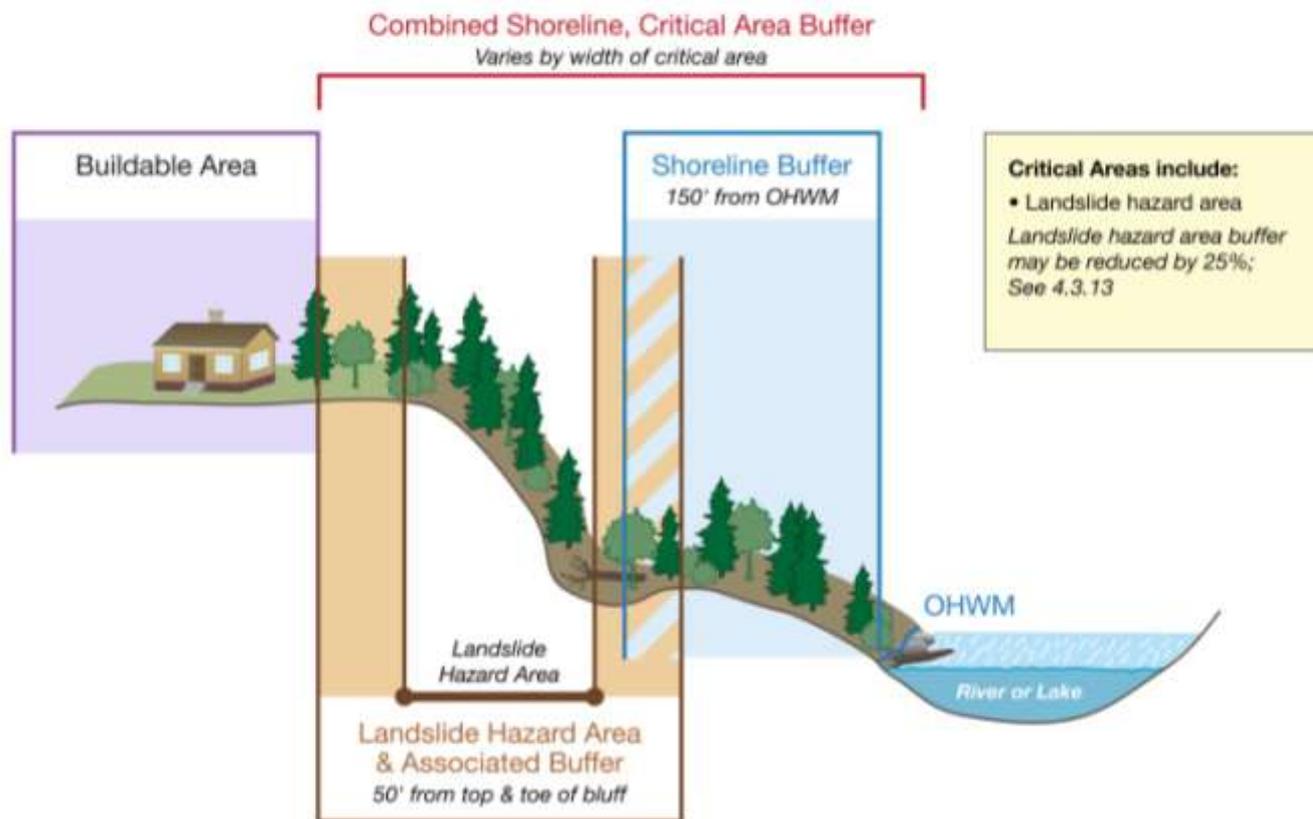


# Freshwater Natural Shoreline / Critical Area Buffers



# Freshwater Resource

## Shoreline / Critical Area Buffers

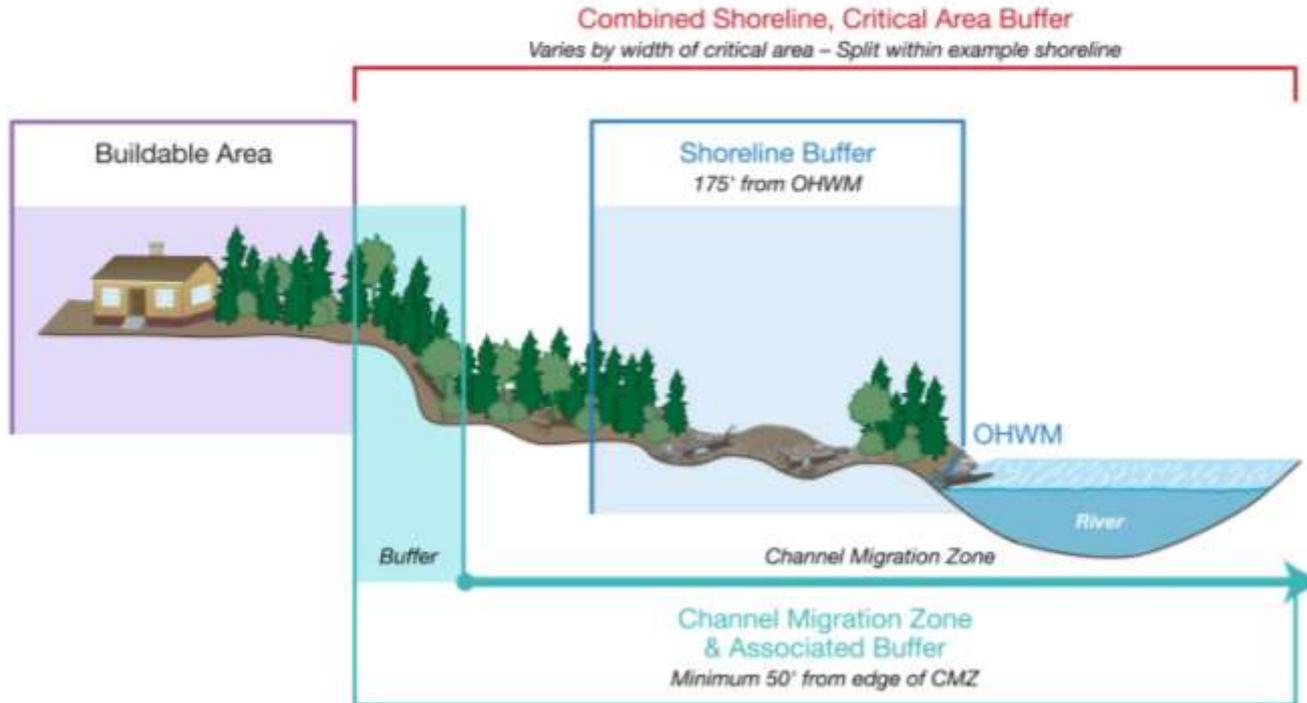


# Freshwater Conservancy

## Shoreline / Critical Area Buffers

**Critical Areas include:**

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

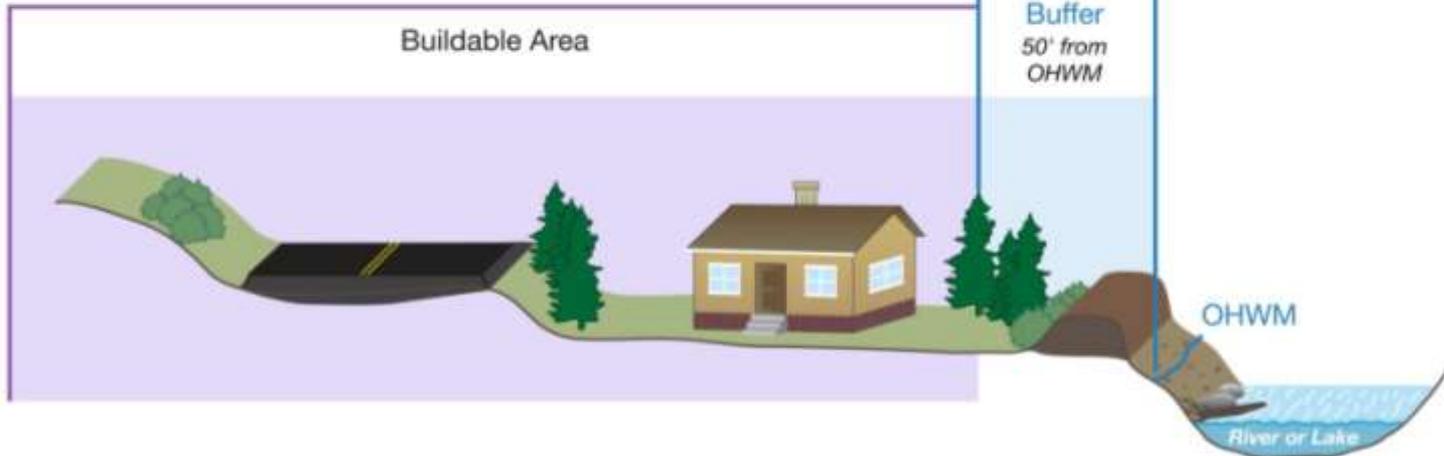




# Freshwater Residential Shoreline / Critical Area Buffers

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?

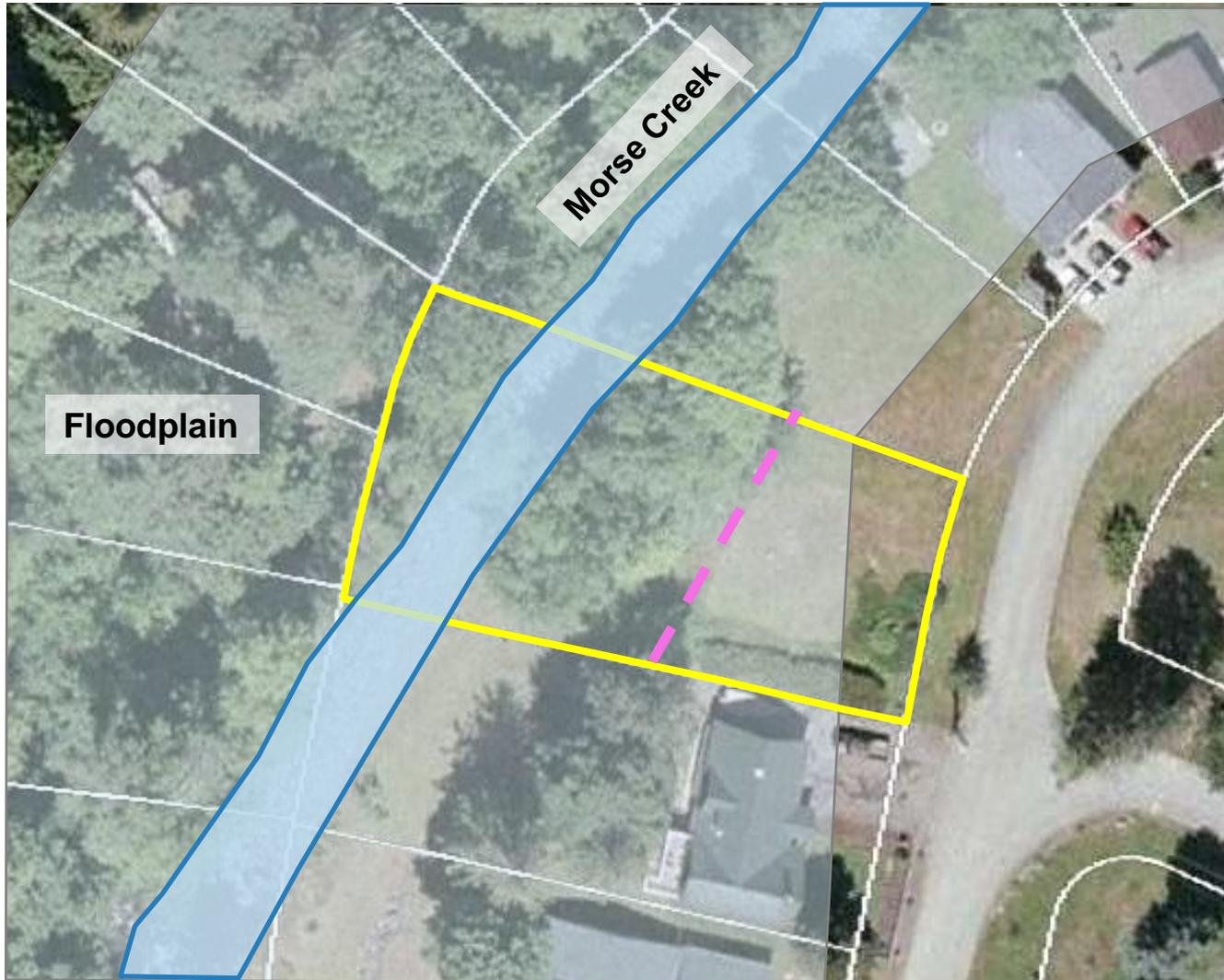


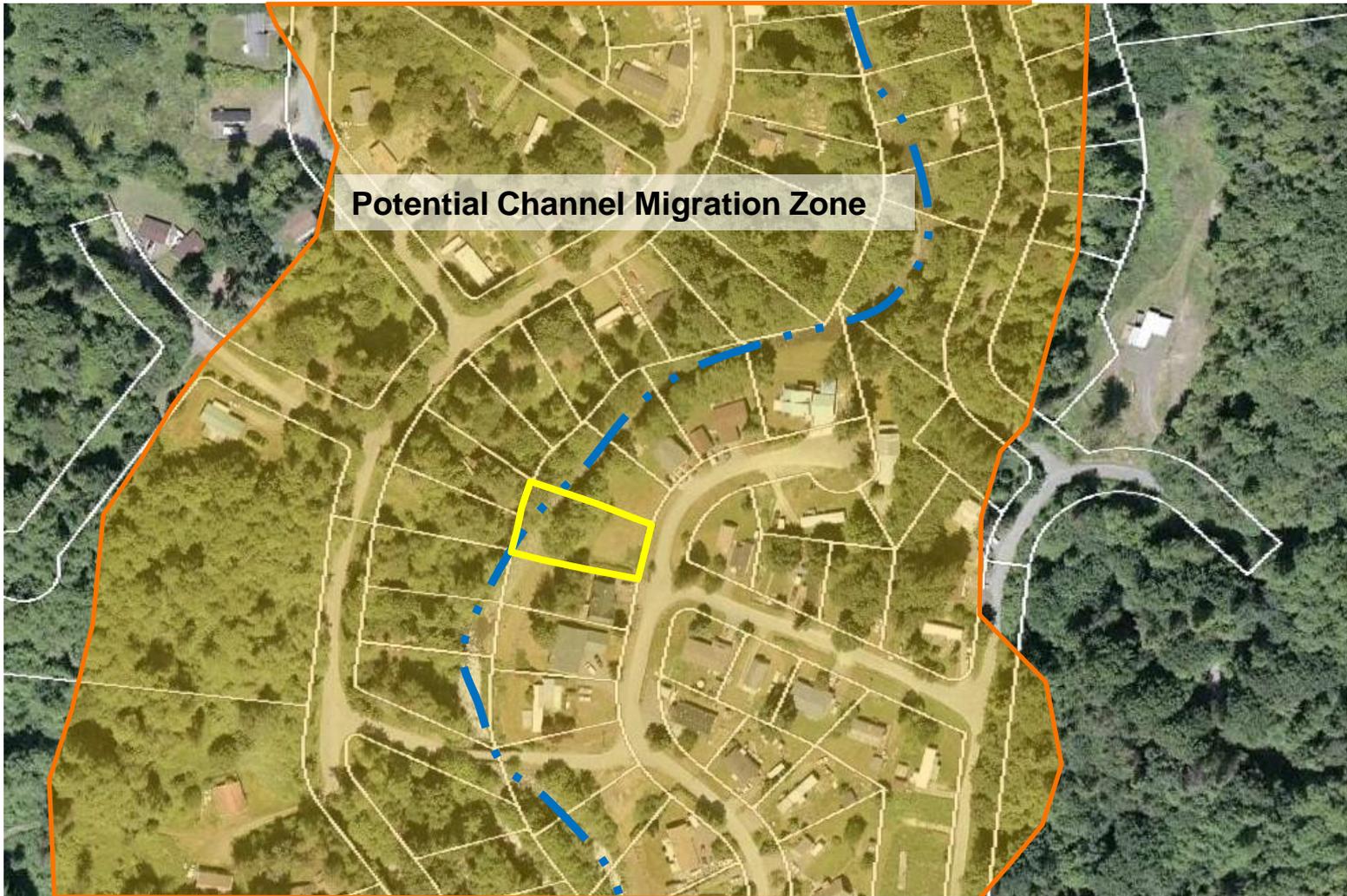


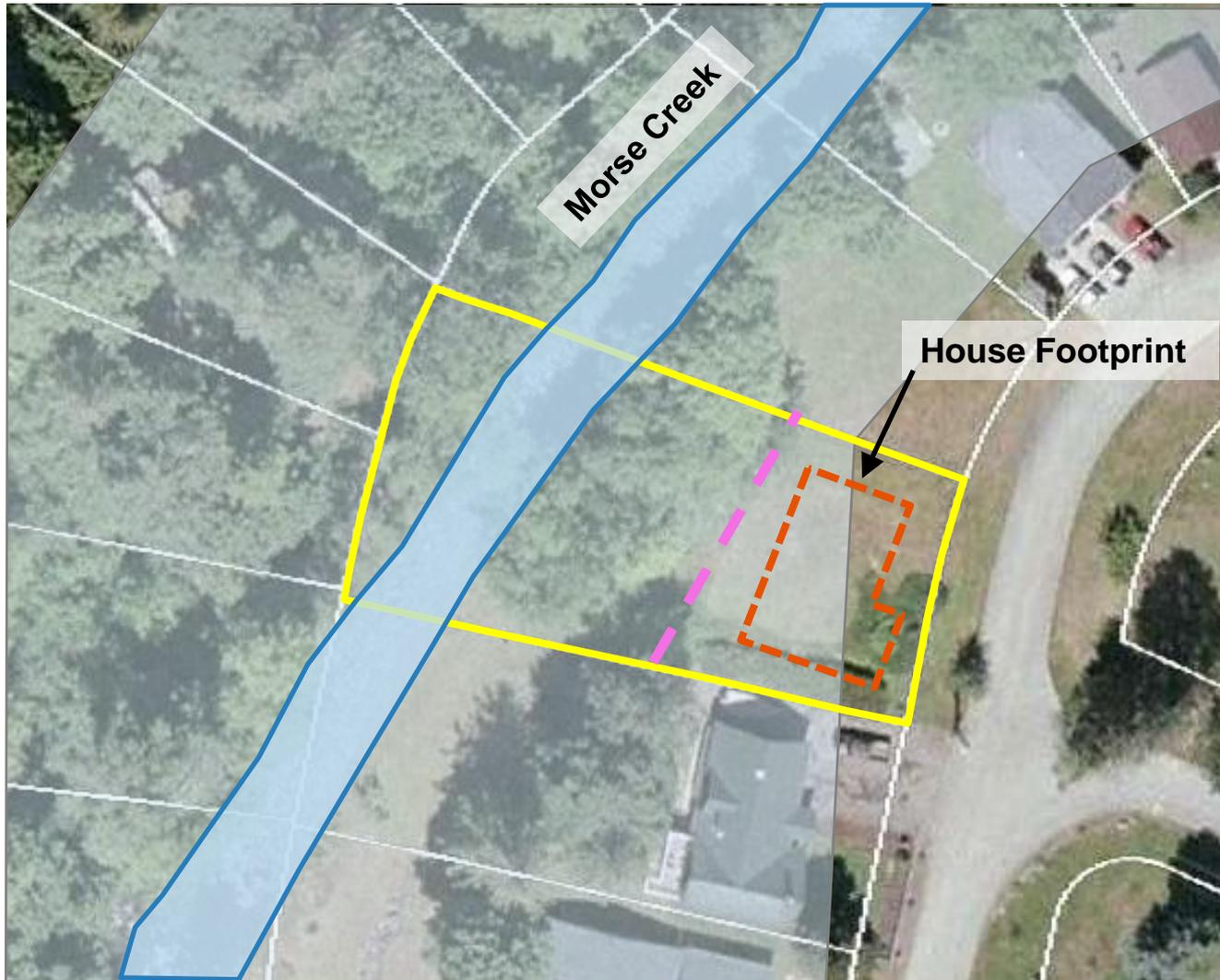
# Freshwater Residential: Morse Creek











$\frac{3}{4}$  acre lot, 1,700 SF footprint



## Summary

- Structure within CMZ, geotechnical study required
- Home requires a Statement of Exemption: no mitigation needed
- No additional vegetation conservation required
- Development within the floodplain – no additional requirements
- TESC Plan and Compliance with Small Project Drainage Manual required





# Priority Feeder Bluff: Dungeness Bluffs





**175 ft Shoreline Buffer**

**150 ft Landslide Hazard Buffer**



1.2 acre lot, 5,000 SF footprint



## Summary

- Development complies with buffer requirements; home is outside of SMP jurisdiction
- No geotechnical studies or mitigation required
- No additional vegetation requirements



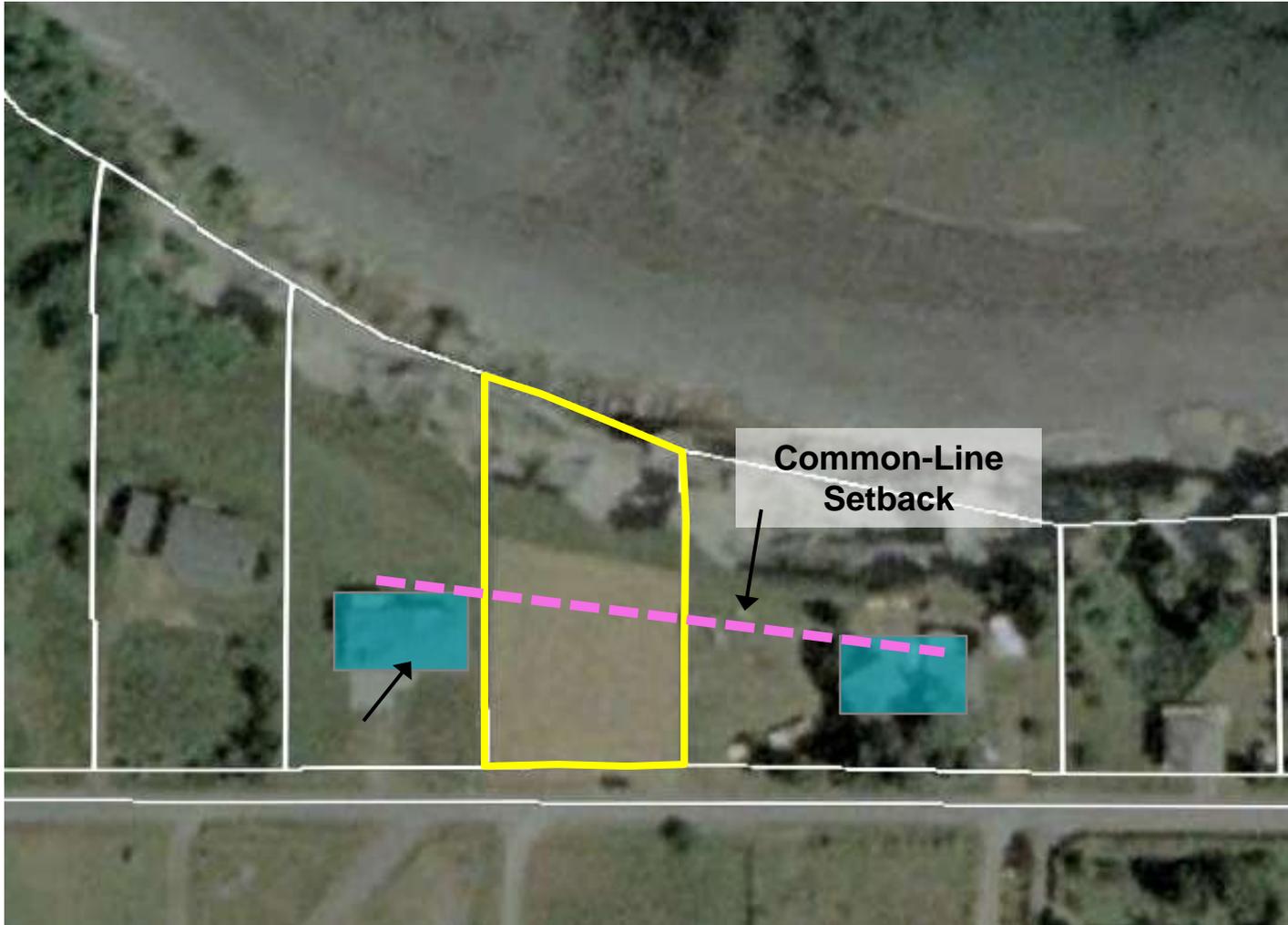


# Priority Feeder Bluff: Dungeness Bluffs

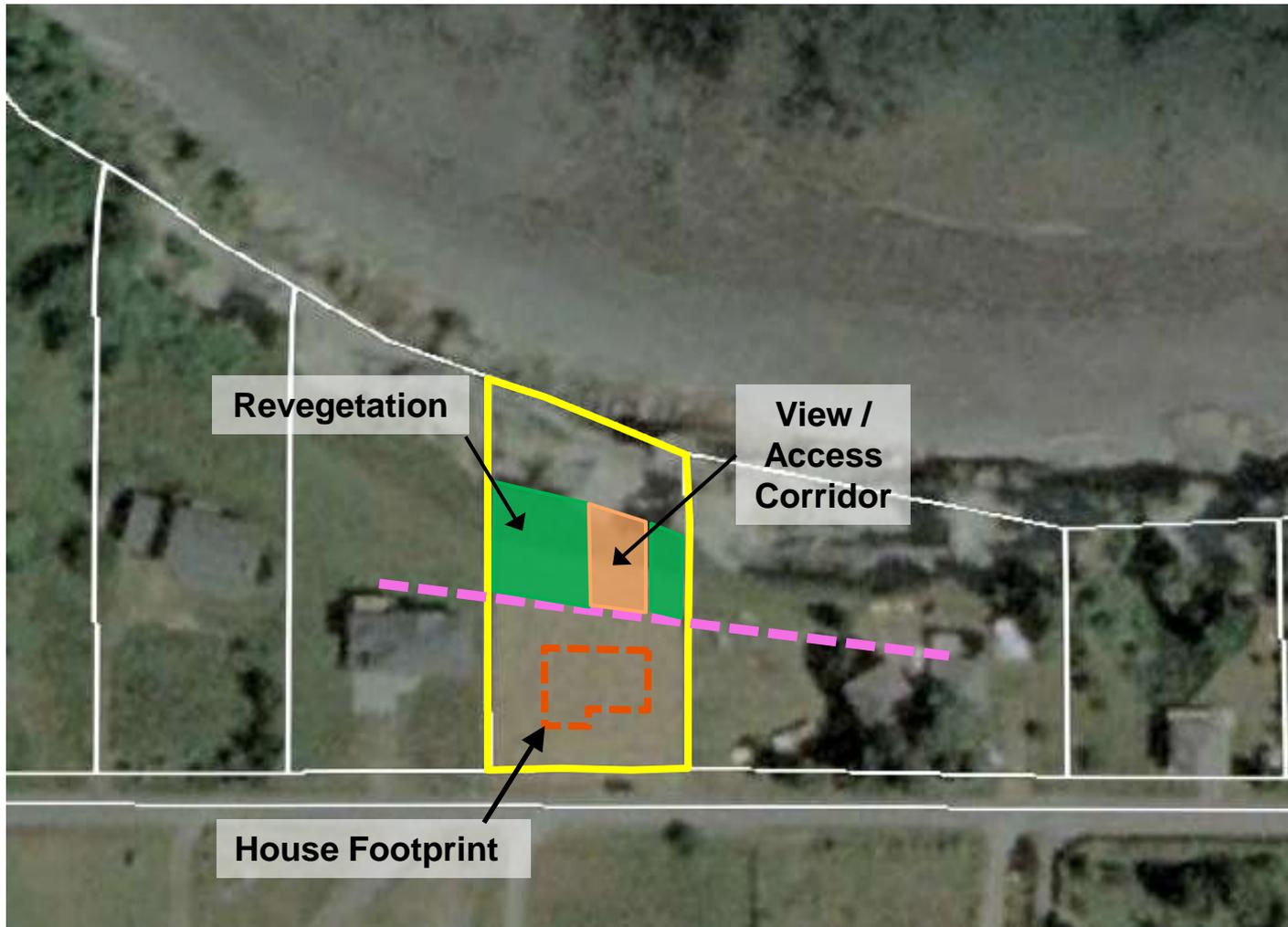


Gehrke Road





**Common-Line  
Setback**



0.5 acre lot, 2,200 SF footprint



## Summary

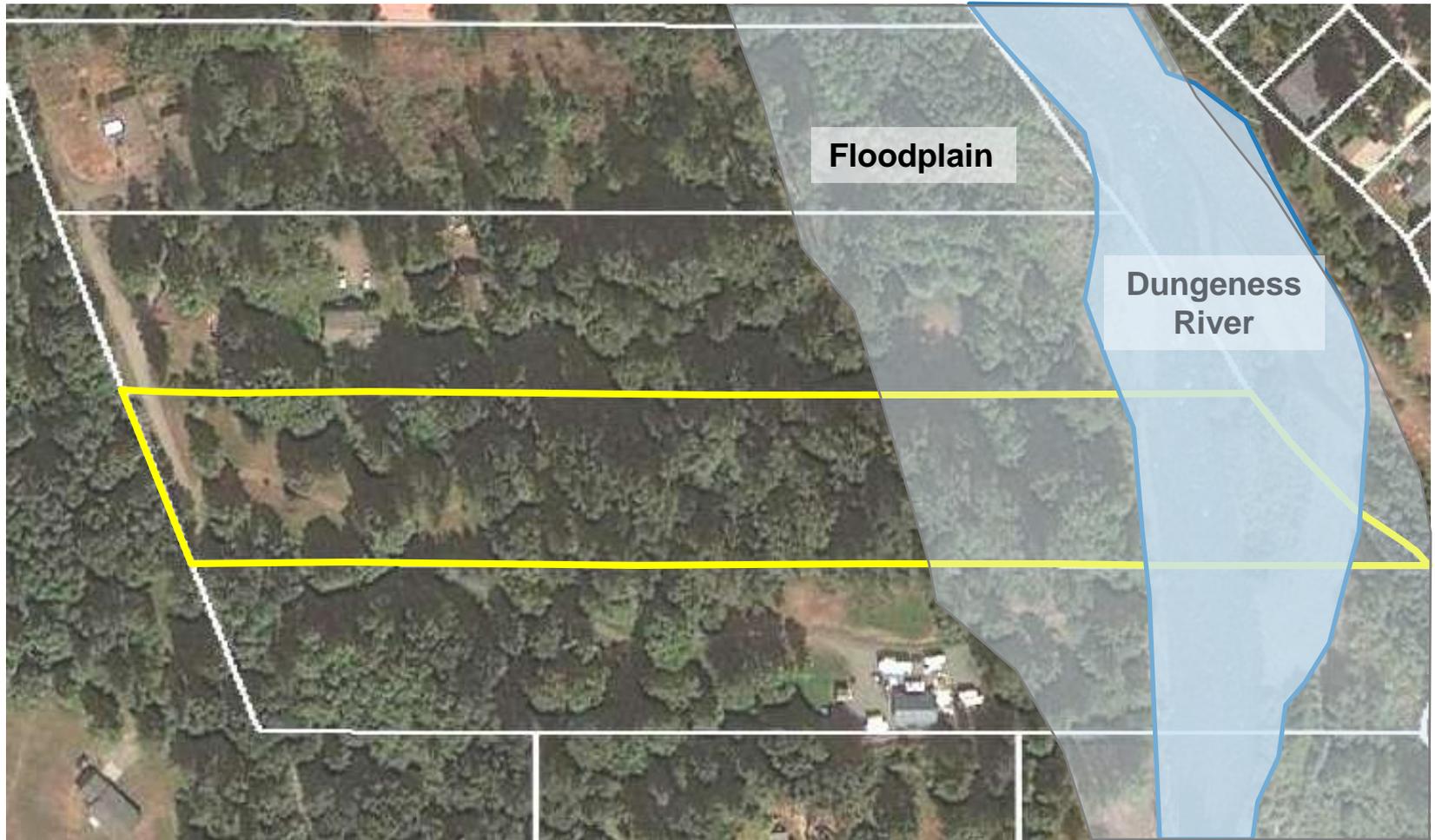
- Common-line setback used to determine buffer width
- Geotechnical study required
- Mitigation (revegetation) required within buffer area, with allowance for a view corridor
- Building envelope limited to 2,500 SF
- TESC and compliance with Small Project Drainage Manual required

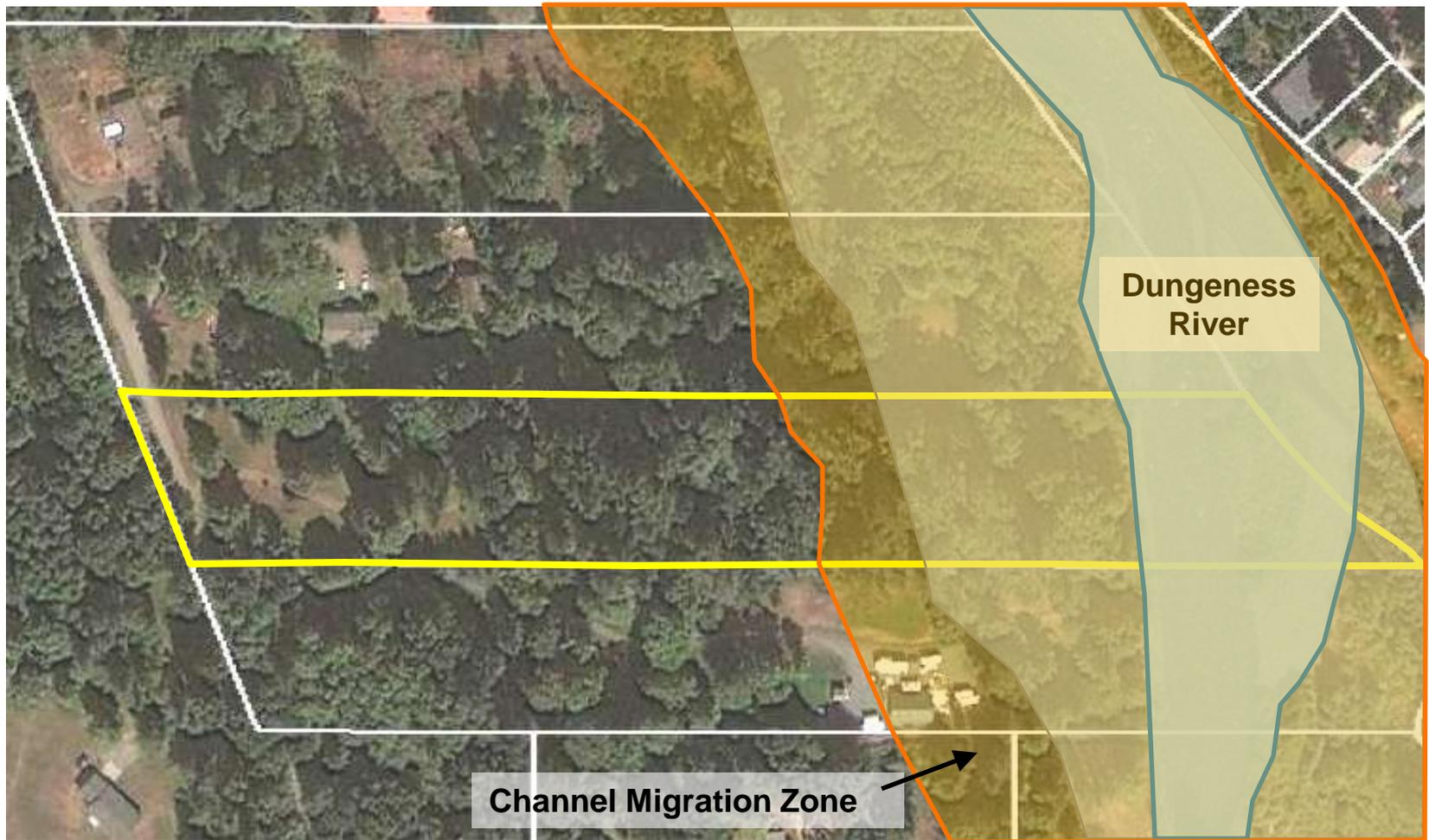


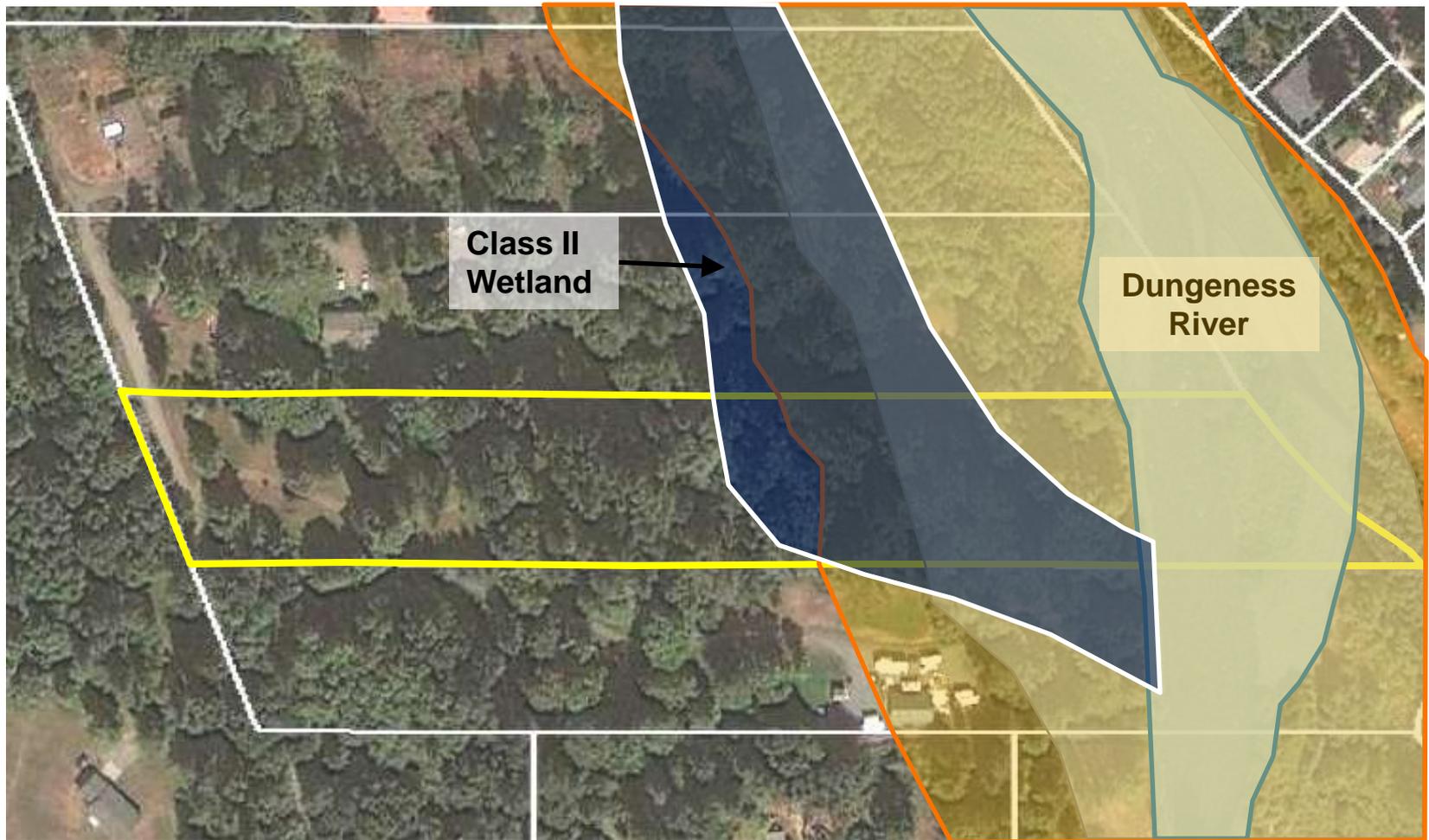


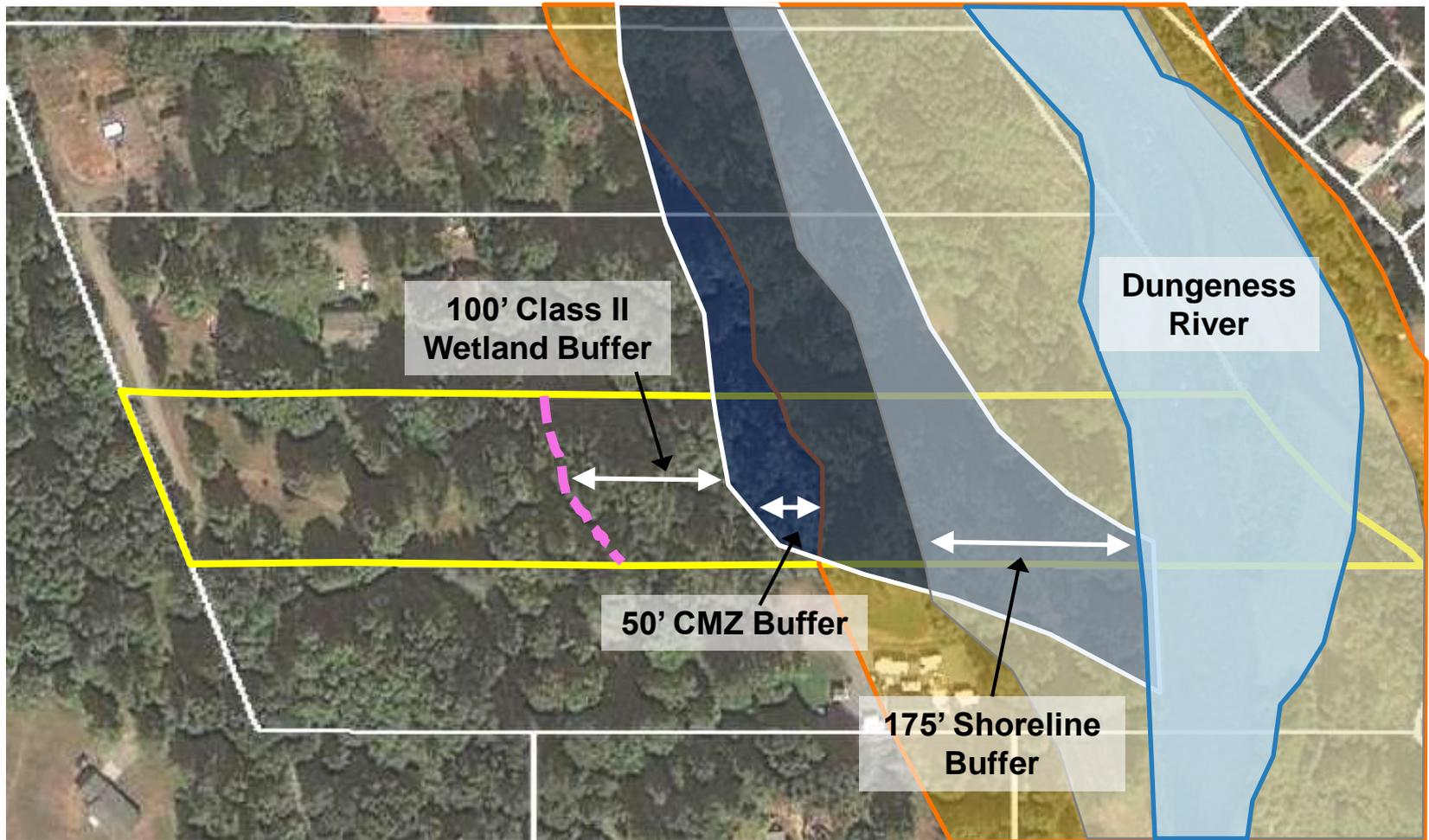
# Freshwater Conservancy: Dungeness River

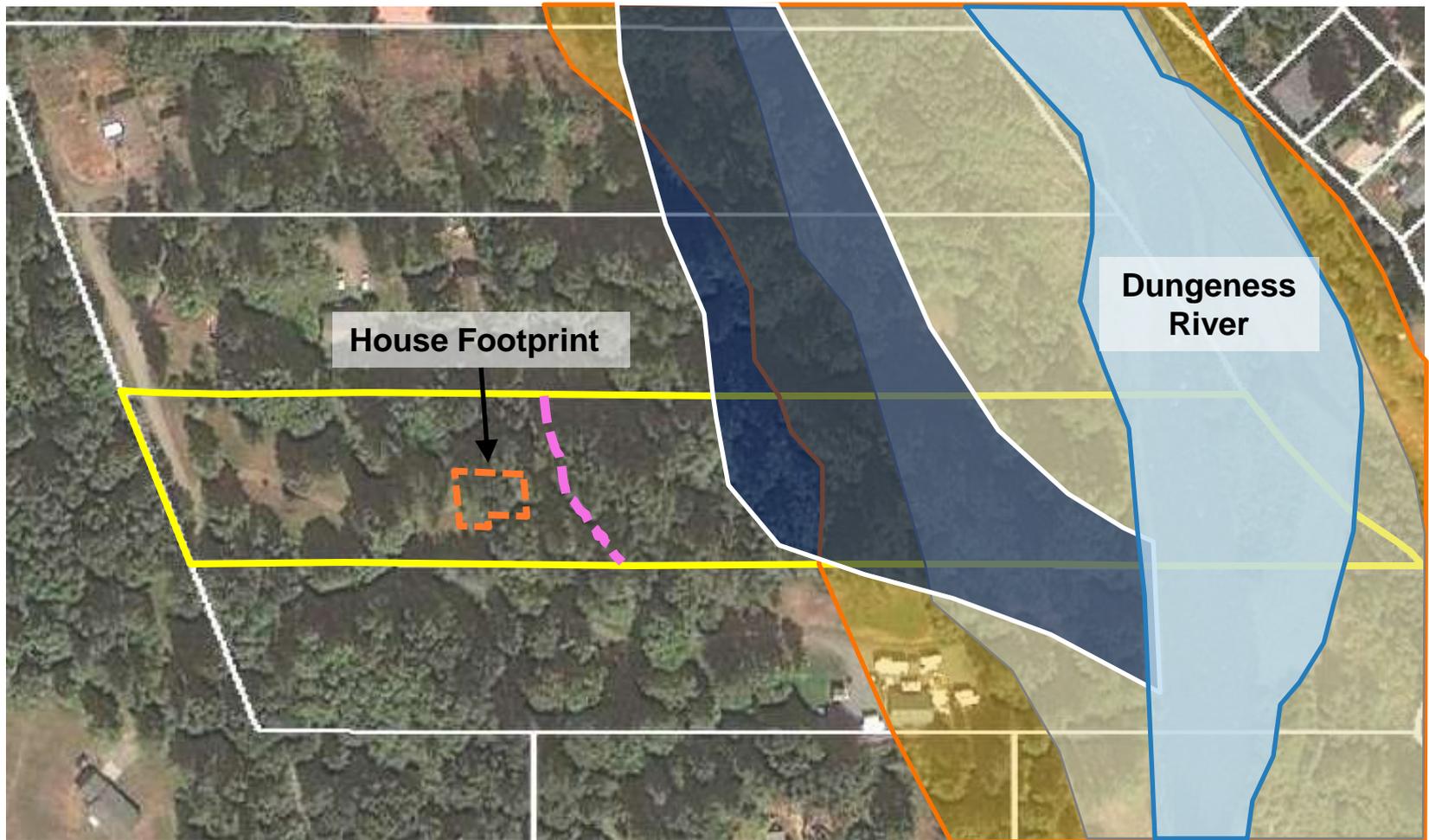














## Summary

- Structure located outside of floodplain and CMZ and wetland buffers, and is over 200 feet from the shoreline
- Project is located outside of SMP jurisdiction, only a County building permit is needed

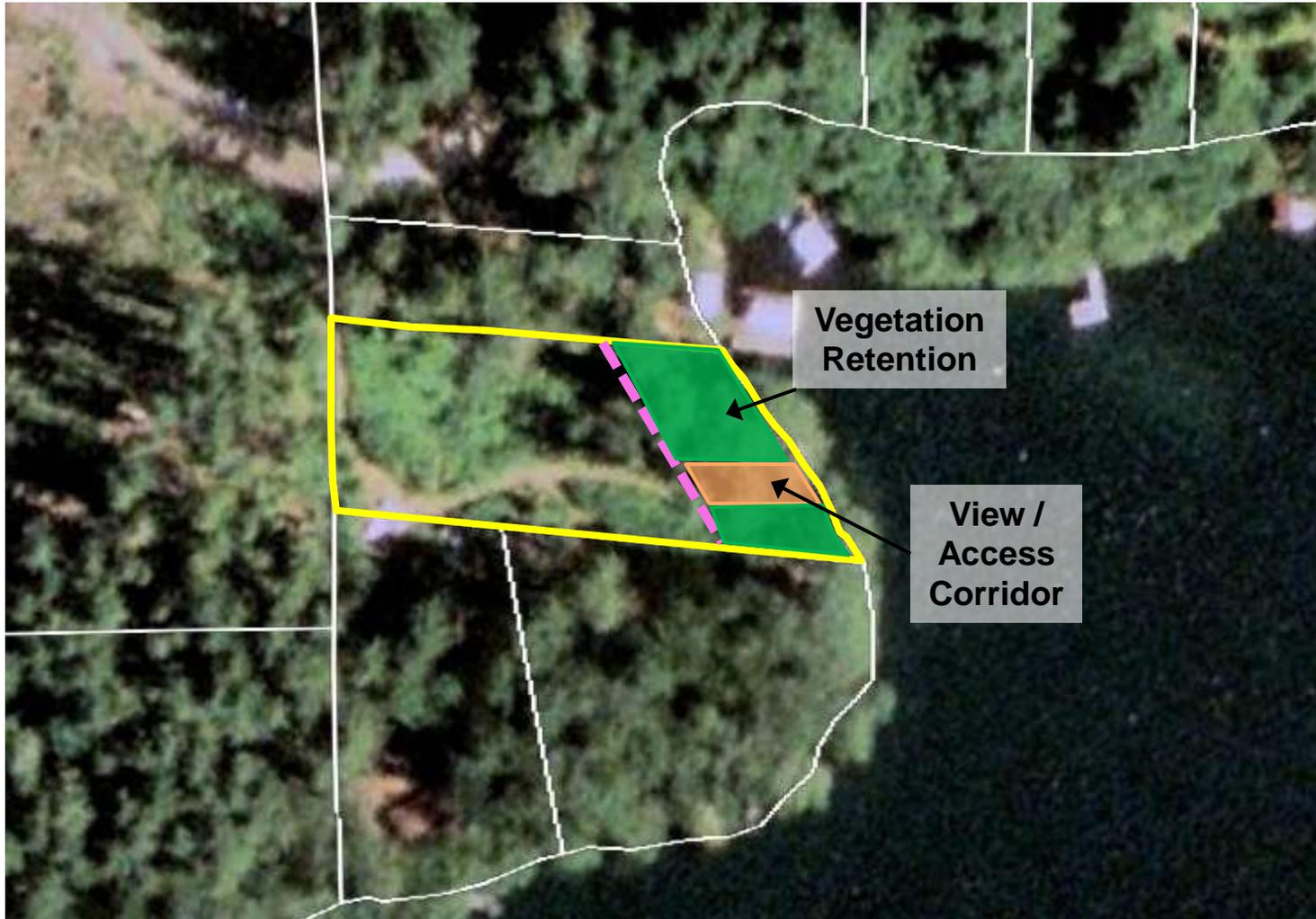


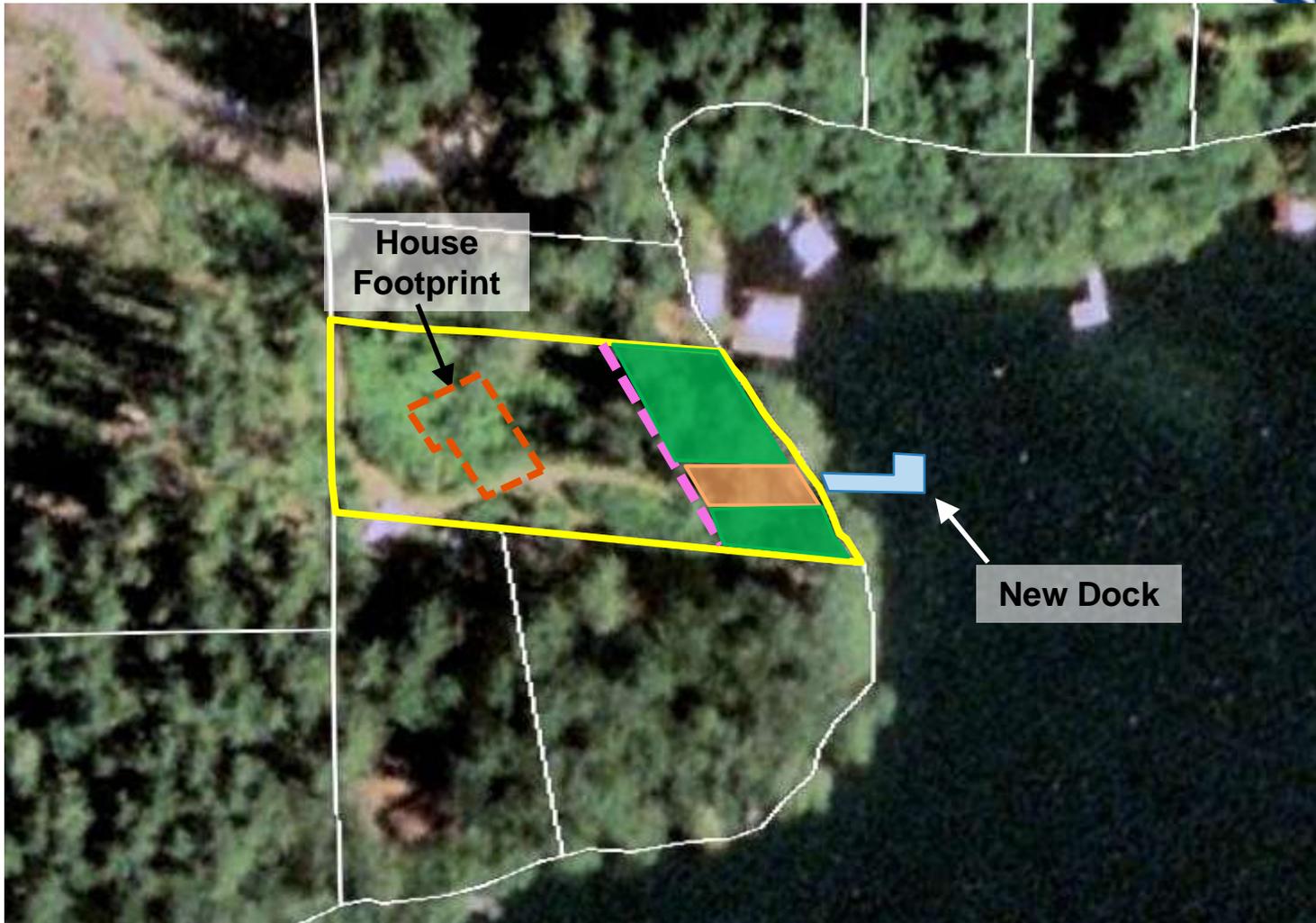


## Freshwater Residential: Lake Sutherland







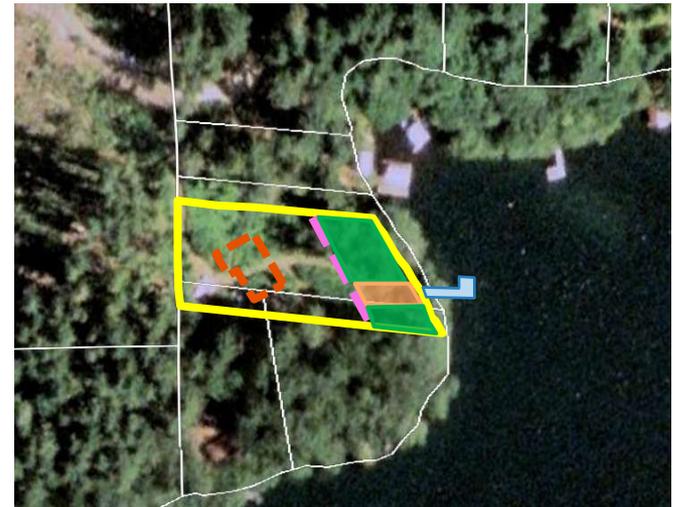


$\frac{3}{4}$  acre lot, 2,100 SF footprint



## Summary

- Shoreline vegetation is retained, with allowance for a view / access corridor
- Home is oriented to avoid removal of large trees
- Dock requires a shoreline permit if FMV exceeds \$10,000 and probably an HPA from WDFW
- TESC and Compliance with Small Project Drainage Manual required





## Armoring is only allowed when needed to:

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





## Armoring is not allowed in some Designations:

- Priority Feeder Bluffs
- Lowland Estuary
- FW Natural
- FW Resource

## 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)