

Staff Report

Date: October 1, 2015
 To: Planning Commission
 From: Tim Crose, Planning Director
 RE: Shoreline Master Program Update – First Draft

Introduction

The Shoreline Use and Modification Matrix was developed to classify shoreline activities, whether new, expanded, or altered within a particular environmental designation to determine if it is permitted or prohibited. If permitted, the table describes what type of permitting process is required for a proposed shoreline activity.

Currently, there are 11 environmental designations proposed in the Draft Shoreline Master Program. They include:

ENVIRONMENTAL DESIGNATIONS		
Natural	Rural Conservancy	Shoreline Residential
High Intensity	Coastal Conservancy	Willapa Bay Conservancy
Freshwater Aquatic	Coastal Aquatic	Coastal Aquatic High Intensity
Willapa Bay Aquatic	Columbia River Estuary	

There are 27 broad categories of potential Shoreline Uses and Modifications with specific activities listed within each category which make up the other half of the matrix or table. The 27 broad categories are:

GENERAL DEVELOPMENT EXCLUDING OCEAN ENVIRONMENT		
Agriculture	Aquaculture	Boating Facilities/Overwater Structures
Breakwaters, Jetties, Groins	Dredging & Disposal	Dune Modification
Fill & Excavation	Flood Hazard Structures	Forest Practices
Industrial Development	In-stream structures	Mining
Recreational Development	Residential Development	Shoreline Enhancement Projects
Shoreline Stabilization	Transportation	Utilities
Commercial Development	Institutional Development	
COASTAL OCEAN USES AND MODIFICATIONS		
Ocean Disposal	Ocean Transportation	Oil and Gas Uses
Ocean Mining	Ocean Energy Production	Ocean Research
Ocean Salvage		

PERMITTING PROCEDURE

Activities, uses, developments, and modifications are classified as follows:

- a. Uses allowed by Shoreline Substantial Development Permit or Shoreline Exemption are indicated by a “P” on the use matrix.
- b. Uses allowed by Shoreline Conditional Use Permit are indicated by a “C” on the use matrix.
- c. Prohibited activities, uses, developments, and modifications are not allowed and are shown as an “X” on the use matrix.
- d. Uses or activities not applicable to the shoreline environment designation in question are shown as “N/A” on the use matrix.
- e. Activities, uses, developments, or modifications not specifically identified in the table may be allowed by a Shoreline Conditional Use Permit.
- f. Upland designation...

All existing uses and modifications are eligible for a Shoreline Exemption if the proposed activity meets the criteria for one of the exempt activities listed in WAC 173-27-040. [from Shoreline Use and Modifications Matrix 032615]

SHORELINE SUBSTANTIAL DEVELOPMENT - Any development of which the total cost or fair market value exceeds \$6,416, or any development which materially interferes with the normal public use of the water or shorelines of the state. For the purpose of determining whether or not a permit is required, the total cost or fair market value shall be based on the value of development that is occurring on shorelines of the state as defined in RCW 90.58.030(2)(c). The total cost or fair market value of the development shall include the fair market value of any donated or found labor, equipment or materials. See WAC 173-27-040 for a list of developments that are not considered substantial.

CONDITIONAL USE - A use, development, or substantial development which is classified as a conditional use or is not classified within this Master Program.

Shoreline Planning Committee Public Process

The SPC, with public comment, participated in numerous public workshops to deliberate and develop the Use and Modification Matrix. The following Matrix is in draft form.

USE AND MODIFICATION MATRIX

Table Error! No text of specified style in document.-1. Permitted Shoreline Uses and Modifications by Environment

The standards in the table below have been developed to align with the intent of the SPC and to be consistent with the specific development regulations drafted in Sections 5 and 6 of this document. They are subject to change through refinement of those regulations and discussion with the County.

Designation												
Shoreline Use or Modification	Shoreline Environment Designation											
Table Key: P = Permitted use (SSDP or Exemption) subject to policies and regulations of this SMP C = Shoreline Conditional Use subject to policies and regulations of this SMP X = Prohibited NA = Not Applicable Upland = Regulated consistent with the upland environment designation	Natural	Rural Conservancy	Shoreline Residential	High Intensity	Coastal Conservancy	Willapa Bay Conservancy	Freshwater Aquatic	Coastal Ocean	Coastal Ocean High Intensity	Willapa Bay Estuary	Columbia River Estuary	
	Agriculture											
	• Ag activities, agricultural facilities, and agricultural accessory uses	P	P	P	P	P	P	NA	NA	NA	NA	NA
	Aquaculture											
	• General shellfish	NA	NA	NA	NA	NA	NA	P	C ¹	X	P	P
	• General associated upland facilities for aquaculture	C	P	C	P	C	P	NA	NA	NA	NA	NA
	• New commercial geoduck aquaculture	NA	NA	NA	NA	NA	NA	NA	C ¹	X	C	C
	• Hatcheries, shellfish	C	P	C	P	C	P	NA	C ¹	C	P	P
	• Hatcheries, finfish	C	P	X	P	C	C	P	C ¹	X	X	X
	• Net-pens, temporary holding for finfish	NA	NA	NA	NA	NA	NA	X	C ¹	X	X	X
	• Net-pens, salmonid enhancement	NA	NA	NA	NA	NA	NA	X	X	X	P	P
• Net-pens, growing fish	NA	NA	NA	NA	NA	NA	X	X	X	X	X	

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to harvest size											
• Fixed horticultural pens/racks/nets (e.g., kelp, seaweed)								X			
• Live tanks and sink floats, temporary holding for shellfish, live-bait (finfish), or crab	C	X	C	P	X	P	NA	P	P	P	P
• Shellpiles, clam and oyster	X	P	X	P	X	P	NA	NA	NA	P ²	P
• Shellpiles, crab and shrimp	X	X	X	X	X	X	NA	NA	NA	NA	NA
Boating Facilities and Other Overwater Structures											
• Community marina or public dock	X	C	P	P	X	C	Upland	X	X	Upland	C
• Fixed structure to facilitate dredge spoil placements				C					C		
• Residential dock, single-family or joint-use	C	P	P	P	X	X	Upland	X	X	Upland	C
• Recreational float	X	P	P	P	X	X	Upland	X	X	Upland	C
• Boat launch, community, commercial, or new public	C	P	P	P	X	C	Upland	X	X	Upland	C
• Boat launch, private residential (motorized, paved)	X	X	X	X	X	X	Upland	X	X	Upland	X
• Boat launch, private residential (non-motorized, non-paved)	X	C	C	X	X	X	Upland	X	X	Upland	X
Breakwaters, Jetties, Groins											

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• Lakes	X	X	X	X	NA	NA	Upland	NA	NA	NA	NA
• Marine/River – Fixed	X	X	X	P	C	X	Upland	Upland	Upland	Upland	Upland
• Marine/River – Floating	X	C	X	P	X	X	Upland	Upland	Upland	Upland	Upland
• Groins/Pile dikes	X	C	X	P	C	C	Upland	Upland	Upland	Upland	Upland
Commercial Development											
• Water-dependent	X	C	C	P	X	P	C	C	C	C	P
• Water-related	X	C	C	P	X	C	C	C	C	C	P
• Water-enjoyment	X	X	C	P	X	C	C	C	C	C	C
• Non-water-oriented	X	X	X	P	X	X	X	X	C	X	C
• Outdoor advertising	X	X	X	P	X	X	X	X	X	X	X
Dredging and Dredge Material Disposal											
• Dredging	NA	NA	NA	NA	NA	NA	C	C	C	C	C
• Dredge material disposal, in-water	NA	NA	NA	NA	NA	NA	C ^{3,4}	X ⁴	C	C ^{3,4}	P
• Dredge material disposal, upland	X	X	C	C	C ⁵	X	NA	NA	NA	NA	NA
• Dredging or dredge material disposal associated with restoration	P	P	P	P	P	P	P	C	C	P	C
Dune Modification											
• Modification	X ⁶	C ⁶	NA	C ⁶	C ⁶	C ⁶	NA	NA	NA	NA	NA
• Restoration	P	C ⁶	NA	C ⁶	C ⁶	C ⁶	NA	NA	NA	NA	NA
Fill and Excavation											
• Fill and excavation	C	P	P	P	C	X	C ⁷	C	C	C ⁷	C ⁷
• Placement of gravel/shell material for aquaculture	P	X	C	P	X	P	X	X	X	P	X
• Filling and grading	C	P	P	P	C	X	C ⁷	X	C	C ⁷	C ⁷

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Flood Hazard Structures											
• Dikes, levees	X	C ⁹	C	C	X	X	Upland	X	X	X	C
Forest Practices											
• All	C	P	C	P	C	C	X	X	X	X	X
Industrial Development											
• Water-dependent	X	C	X	P	X	C	Upland	X	X	Upland	C
• Water-related	X	C	X	P	X	C	Upland	X	X	Upland	X
• Non-water-oriented	X	C	X	P	X	X	Upland	X	X	Upland	X
Institutional Development											
• Water-oriented	C	C	C	C	C	C	X	X	X	X	C
• Non-water-oriented	X	X	C	C	X	X	X	X	X	X	X
In-stream Structures											
• Aids to navigation	NA	NA	NA	P	NA	NA	C	P	P	P	P
• All others	NA	NA	NA	P	NA	NA	X	X	C	P	C
Mining											
• Beach sand	X	X	X	X	C	X	X	X	C	X	C
• All others	X	X	X	X	X	X	X	X	X	X	X
Recreational Development											
• Water-oriented	C	P	P	P	X	C	P	C	C	P	P
• Non-water-oriented	X	C	C	C	X	X	X	X	X	X	X
Residential Development											
• Single-family	C ¹⁰	P	P	X	X	P	X	X	X	X	X
• Multi-family	X	C ¹¹	C ¹¹	C ¹¹	X	X	X	X	X	X	X
• Overwater, floating, and live-aboards	X	X ¹²	X	X	X	X	X	X	X	X	X
Shoreline Habitat and Natural Systems Enhancement Projects											

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• All	P	P	P	P	P	P	P	C	C	P	P
Shoreline Stabilization											
• New hard	X	C	C	C	X	X	Upland	Upland	Upland	Upland	Upland
• New soft	C	P	P	P	P	C	Upland	Upland	Upland	Upland	Upland
• Replacement hard with hard	P	C	P	P	P	P	Upland	Upland	Upland	Upland	Upland
• Replacement hard with soft	P	P	P	P	P	P	Upland	Upland	Upland	Upland	Upland
Transportation and Parking											
• Roads	C	P	P	P	C	C	NA	NA	NA	NA	NA
• Railroads	C	P	C	P	X	X	NA	NA	NA	NA	NA
• Parking	C ¹⁶	P ¹⁶	P ¹⁶	P ¹⁶	C ¹⁶	C ¹⁶	NA	NA	NA	NA	NA
• Airports, heliports	X	X	X	P	X	X	NA	NA	NA	NA	NA
• Landing fields	X	C	X	X	X	X	NA	NA	NA	NA	NA
• Float planes terminals/docks	C	C	C	C	X	C	X	X	P	C	C
• Ferry terminals	X	C	X	C	X	X	NA	NA	NA	NA	NA
• Bridges or culverts	C	P	P	P	C	X	C	P	C	C	C
• Trails, paved	C	C	P	P	C	C	NA	NA	NA	NA	NA
• Trails, unpaved	P	P	P	P	C	P	NA	NA	NA	NA	NA
Utilities											
• Small utilities, new	C	P	P	P	X	X	C	C	C	X	C
• Large utilities, new	C	C	C	C	X	X	C	X	X	X	C
• Hydropower facilities (micro, non-dam), new	C	C	C	C	X	C	C	C	C	X	C
• Hydropower facilities (macro, with dam), new	X	X	X	C	X	X	X	X	X	X	X
• Wind, tidal, and wave energy facilities, new	C	C	C	C	X	C	X	C ¹³	C	C	C

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• Utility cables, conduits, corridors entering and crossing shoreline	X	X	X	X	X	X	C	X	C ¹	C	C
• Solid waste disposal	X	X	X	X	X	X	X	X	X	X	X
• Sewage collection	X	X	C	C	X	X	X	X	X	X	X
• Properly treated sewage discharge	X	X	X	C ¹⁴	X	C ¹⁴	C ¹⁴	C ¹⁴	X	C ¹⁴	C ¹⁴
• Properly handled fish and seafood effluent discharge	X	X	X	P	X	X	P	P	P	P	P
• Industrial, Municipal and institutional facilities discharge	X	X	X	C	X	X	X	X	C	X	X
• Maintenance, existing utilities	P	P	P	P	P	P	P	P	P	P	P
Uses Not Specified											
• All	C	C	C	C	C	C	C	C	C	C	C
Coastal Ocean Uses and Modifications¹⁵											
Ocean Disposal											
• Belly dump	NA	NA	NA	NA	NA	NA	NA	X	C	NA	NA
• Enhanced/ rainbow/ Alamo/ other	NA	NA	NA	NA	NA	NA	NA	C	C	NA	NA
• Ocean disposal for restoration	NA	NA	NA	NA	NA	NA	NA	C	C	NA	NA
Ocean Transportation											
• Transferring or transporting of petroleum products	NA	NA	NA	NA	C	NA	NA	C	C	NA	NA
• All other	NA	NA	NA	NA	NA	NA	NA	C	C	NA	NA
Oil ,Gas, LNG, Chemical Uses											

¹ Intent is to allow transmission cables along this high intensity corridor, from offshore energy production or communications facilities, etc.

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• Exploration	NA	NA	NA	NA	X	NA	NA	X	X	NA	NA
• Development	NA	NA	NA	NA	X	NA	NA	X	X	NA	NA
• Production	NA	NA	NA	NA	X	NA	NA	X	X	NA	NA
• Transfer and storage terminals associated with ocean use	NA	NA	NA	NA	X	NA	NA	X	X	NA	NA
• Pipelines associated with ocean use	NA	NA	NA	NA	X	NA	NA	X	X	NA	NA
Ocean Mining	NA	NA	NA	NA	NA	NA	NA	X	C	NA	NA
Ocean Energy Production											
• Fixed structure uses	NA	NA	NA	NA	NA	NA	NA	X	X	NA	NA
• All other	NA	NA	NA	NA	C	NA	NA	C	C	NA	NA
Ocean Research	NA	NA	NA	NA	P	NA	NA	P	P	NA	NA
Ocean Salvage	NA	NA	NA	NA	C	NA	NA	P	P	NA	NA
Shoreline Use or Modification	Shoreline Environment Designation										

¹ Fixed structures supporting aquaculture activities are prohibited in the Coastal Ocean environment.

² Shellpiles in Willapa Conservancy are expected to spill over into Willapa Bay Estuary.

³ In-water placement of gravel/shell material to support aquaculture is an allowed use.

⁴ In-water dredge material disposal using enhanced/rainbow/Alamo dumping methods is a conditional use.

⁵ Permitted to protect the jetty and at approved dredged material disposal sites.

⁶ Dune modification, including restoration, shall be allowed only where it will not result in decreased protection of inland development from damage caused by storm surge, tsunamis, windblown sand, or flooding.

⁷ Fill waterward of the OHWM for the purpose of ecological restoration is coded as "P."

⁸ Including for permitted commercial use, road maintenance, and cranberry production.

⁹ New dikes for commercial cranberry farming are exempt.

¹⁰ Per WAC 173-26-211(5)(a)(ii)(C), single-family residential development may be allowed as a conditional use within the Natural environment if the density and intensity of such use is limited as necessary to protect ecological functions and be consistent with the purpose of the environment.

¹¹ Must be consistent with underlying zoning.

¹² Existing floating homes on North River are allowed to be maintained. New floating homes are prohibited.

¹³ Only non-anchored structures allowed.

¹⁴ Exceptionally high standards (NPDES permit quality).

¹⁵ Regulations for coastal ocean uses and modifications are found in Section 6, Coastal Ocean Uses and Modifications, of this Master Program.

¹⁶ Parking is permitted only in support of an authorized primary use. Parking as a primary use is prohibited.