



# SHORELINE MASTER PROGRAM UPDATE



## Shoreline Master Program Regulations

March 23, 2009



# SHORELINE MASTER PROGRAM UPDATE



## Agenda

- Shoreline Property Owner's Forum
- Shoreline Development Standards
  - Shoreline Setbacks
  - Building Height
  - Lot Coverage
- Shoreline Uses
- Shoreline Modifications
- General Regulations
- Permit Process Questions



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- Shoreline Property Owner's Forum
  - Review feedback (pg. 31)
    - Variety of concerns
      - Potential impacts to property
      - Costs
      - Lack of clarity
      - Desire for more reasonable standards
      - Questions on science and others
  - Next steps
    - Additional meeting with smaller group of property owners



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## **Goal:**

Determine a setback standard that appropriately balances:

- Ecological functions,*
- Use of property, and*
- Takes into account existing development patterns.*

## **Proposed Approach to Setbacks:**

Review existing built conditions.

Proposed standard = existing median setback.



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## Existing development patterns:

- Tremendous variability in lot & development conditions.
  - Residential M/H (medium and high density):
    - Median existing setback of 24 feet
    - 15.7% of average parcel depth
  - Urban Mixed
    - Median existing setback of 29 feet (21' in CBD, 29.5' in JDB, 32' in Carillon)
    - 13.8% of average parcel depth
- Using percentage of lot depth, together with minimum standard



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Shoreline Environment	Existing Shoreline Standards <sup>1</sup>	Proposed Shoreline Standards
Urban Mixed	15' or 15% of average parcel depth, whichever is greater	Conceptual: Min. 25' or 15% of average lot depth, whichever is greater
Residential – M/H	15' or 15% of average parcel depth, whichever is greater	Conceptual: Min. 25' or 15% of average lot depth
Urban Conservancy	Case by case basis	Conceptual: 0-16' for water dependent, 25' for water related, 30' for water enjoyment

## HCC feedback?

<sup>1</sup> Note: No Net Loss relates to existing functions, not existing standards.



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## Setbacks

- Permitted improvements within setback (p. 74)
  - Walkways and related improvements
  - Water-dependent improvements
  - Public access
  - Drainage structures
  - Decks, patios, etc.

HCC feedback?



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## Regulatory Flexibility (p. 113)

### – Shoreline Setback Reduction

- Reduce to min. 25' under following mitigation options:

<b>Reduction Mechanism</b>	<b>Allowed Reduction</b>
Removal of 75% bulkhead	10%
Creation of cove (15' min)	7.5%
Daylighting stream	5%
Bioinfiltration mechanisms	2%
Wider landscape strip	2%
Pervious materials	2%
Limit lawn area in setback (50%)	2%
Preserve/restore min. 20% lot area outside of setback with native veg	2%

HCC feedback?



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## Nonconformances (p. 159)

### – Setback Nonconformances

- Existing provisions = Allows continuation, but not enlargement in any way which increases nonconformity
- Proposal:
  - Allow increases in structure footprint outside setback
  - Allow increase in structure footprint within setback (max. 10% of existing gfa), provided:
    - » Not further waterward
    - » Accompanied by restoration to offset impact
    - » Must comply with fertilizer, herbicide BMPs
    - » Use fully-shielded light fixtures on fixtures directed towards lake

HCC feedback?



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## Shoreline Development Standards

- Lot Size/Density (pg. 58)
  - Density Incentive in R – M/H for public access

Shoreline Environment	Existing Zoning Standards	Existing Shoreline Standards	Proposed Shoreline Standards
Urban Mixed	No minimum lot size to 3,600 sq. ft./unit	1,800 sq. ft./unit to 3,600 sq. ft./unit	No minimum lot size to 1,800 sq. ft./unit
Residential – M/H	1,800 sq. ft./unit – 3,600 sq. ft./unit	3,600 sq. ft./unit	1,800 sq. ft./unit for 2 units; otherwise 3,600 sq. ft./unit
Residential – L	5,000 sq. ft. to 12,500 sq. ft.	12,500 sq. ft.	5,000 sq. ft. to 12,500 sq. ft.
Urban Conservancy	1,800 sq. ft./unit (for private property)	Case-by-case	12,500 sq. ft.
Natural	Varies	35,000 sq. ft.	12,500 sq. ft.

HCC feedback?



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## Shoreline Development Standards

- Building Height (pg. 58) – key changes:
  - Retained height from existing SMP; if lower height is provided in zoning, it would apply
  - Incorporated height incentive for superior view corridor (R-M/H and UC) (pg. 77)
  - Height bonus approved through PUD (pg. 78)

Shoreline Environment	Existing Zoning Standards	Existing Shoreline Standards	Proposed Shoreline Standards
Urban Mixed	25' to 55'	35' to 41'	35' to 55'
Residential – M/H	25' to 35'	30' to 35'	25' to 35'
Residential – L	25'	25'	25'
Urban Conservancy	Case-by-case	25' to 41'	25' to 35'
Natural	Varies	25' to 35'	25' to 30'



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- Lot Coverage (pg. 58)
  - Not currently addressed in SMP
  - Generally reflect zoning

Shoreline Environment	Existing Zoning Standards	Existing Shoreline Standards	Proposed Shoreline Standards
Urban Mixed	70-100% with higher standards in CBD	None	80-100%
Residential – M/H	60-80%	None	60-80%
Residential – L	50%	None	50%
Urban Conservancy	Case-by-case for parks, otherwise 60-70%	None	30% for recreational uses, otherwise 50%
Natural	Varies	None	10% for recreational uses, 50%

HCC feedback?



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## Shoreline Vegetation

Vegetation provides number of benefits to shoreline ecology

- Filter sediment and chemicals from runoff
- Provide food and shelter for fish and wildlife
- Stabilize banks
- Slow or prevent shoreline erosion.



Waterfront Construction



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## Goals:

- Retain existing significant vegetation
- Establish or preserve vegetation along the shoreline edge to contribute to ecological functions.



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## Shoreline Vegetation

- Tree removal (pg. 115)
  - Removal w/in shoreline setback limited to hazard or nuisance trees
  - Removal with development limited, requires replanting
- Tree pruning permitted, subject to standards (pg. 116)
- Shoreline plantings (pg. 116)
  - 10' wide landscape strip (15' for multifamily)
  - Use of existing vegetation permitted
  - Alternative compliance provision
  - Standards for placement to address views

## HCC feedback?



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## Shoreline Uses (p. 78-85)

- Most issues addressed in general regulations
- This section focuses on special standards that may be needed for some shoreline uses

HCC feedback?



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## Commercial Uses (pg. 79)

- Key Issues: New standards for float plane facilities
- Proposed Regulations:
  - Taxiing patterns to minimize noise impacts and interference with navigation and moorage
  - Fuel spill and cleanup materials
  - Hours of operation
- Any comments or direction on this section?

HCC feedback?



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## Recreational Uses (pg. 80)

- Key Issues: New standards for tour boat facility and boat launches
- Proposed Regulations:
  - Tour Boat facility:
    - Capacity
    - On-site passenger loading areas
    - Limitations on overwater structures
  - Boat launches:
    - Location standards
    - Design standards
- Any comments or direction on this section?

HCC feedback?



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## Transportation Facilities (pg. 83)

- Key Issues:
  - New standards for water taxis and passenger only ferries.
  - New standard re: street tree placement to consider protection of public views.
- Any comments or direction on this section?

HCC feedback?



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## Pier Standards (pg. 89)

### Prior HCC Input:

- Allow increase in area to reach deeper water
  - Addressed on pg. 92
- Allow wider piers (5' as opposed to 4')
  - 4' proposed for new piers and pier extensions, consistent with State guidance to minimize size of piers
  - Replacement piers = greater flexibility if approved by State/Federal agencies

HCC feedback?



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Example of translucent canopy



Example of multiple canopies (note: material would need to be translucent)

Allowed # of canopies  
for joint use piers

Should multiple boatlift  
canopies be permitted  
on joint use docks?

HCC feedback?



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## Pier Standards - Repair thresholds (pg. 94)

### Prior HCC Input:

- Concerns over multi-year standard
- Proposal:
  - Replacement of more than 50% of the pier-support piles and either decking or decking substructure (e.g. stringers) over a 5-year period must meet the dimensional and materials standards for new private piers
- Key notes:
  - Pilings typically fail around same time
  - NOAA/Corps commented that they typically seek changes in pier dimensions when pilings are replaced

### HCC Input?



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## Marina (pg. 95)

- Key Issues:
  - New dimensional standards for pier structures in marinas
- Any comments or direction on this section?



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## Dredging (pg. 107)

- Key Issue: More restrictive standards for dredging.
- Proposed Regulations:
  - New development sited to avoid need for dredging
  - Dredging limited (support existing uses, restore ecological functions, to use materials for shoreline restoration)
  - New standards and submittal requirements
- Any comments or direction on this section?



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## **Any comments or direction on these sections?**

- Breakwaters (pg. 107)
- Land Surface Modification (pg. 109)
- Fill (pg. 110)
- Shoreline Habitat and Natural Systems Enhancement Projects (pg. 111)



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## General Regulations (pg. 113-160)

- Previously reviewed by HCC (except shoreline vegetation and nonconformances)
- Revisions to respond to PC direction
- Any feedback?



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## Permit Process Questions (pg. 19)

- Staff proposal:

- Eliminate redundancy with Zoning Code provisions where possible
- Would apply to land uses that occur in shoreline only
- May impact HCC jurisdiction on some uses:
  - Retail establishments providing boat sales, rental, gas sales, or service (accessory to marina)
  - General Moorage Facilities in PLA 15A zone or PLA 3B zone

HCC Input?



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## Schedule

- April 27 next meeting
  - Focus on:
    - Remaining draft provisions not yet reviewed
    - Changes based on HCC or PC direction
    - Administrative provisions
- Follow-up to Shoreline Property Owner Forum
- Late Spring – Public Open House



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ANY QUESTIONS?