



# SHORELINE MASTER PROGRAM UPDATE



# **Shoreline Master Program Regulations**

**December 11, 2008**



# SHORELINE MASTER PROGRAM UPDATE



## Agenda

- Discuss topics & provide staff with policy direction on key issues
  - Conceptual approaches to addressing Cumulative Impacts and No Net Loss
  - Shoreline Setbacks
  - General Regulations
  - Shoreline Uses
  - Shoreline Modifications



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## Objectives of SMP:

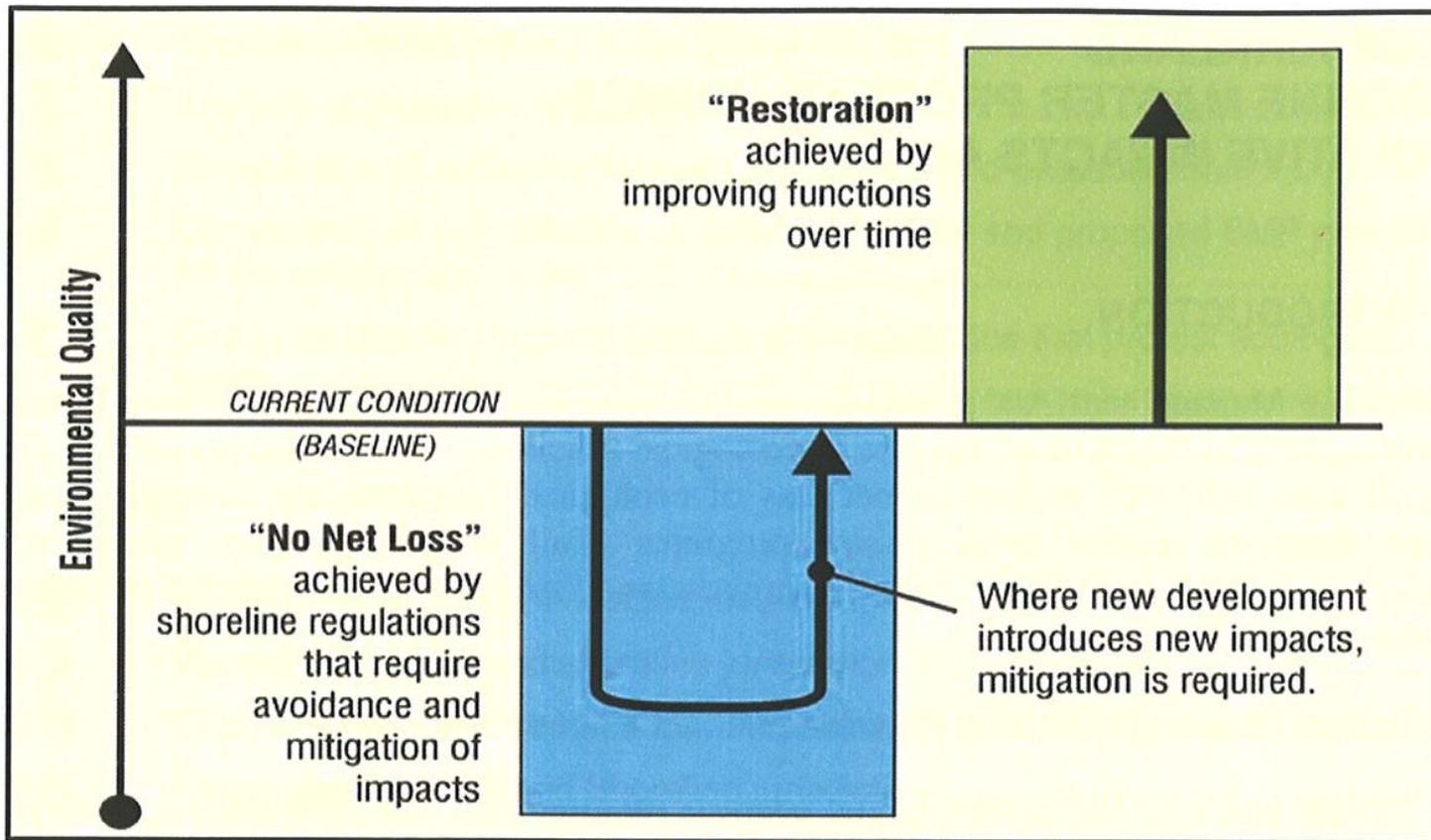
- Enable current and future generations to enjoy an attractive, healthy and safe waterfront.
- Protect the quality of water and shoreline natural resources to preserve fish and wildlife and their habitats.
- Protect the City's investments as well as those of property owners along and near the shoreline.
- Produce an updated Shoreline Master Program (SMP) that is supported by Kirkland's elected officials, citizens, property owners and businesses, the State of Washington, and other key groups with an interest in the shoreline.
- Efficiently achieve the SMP mandates of the State.



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## No Net Loss



Source: Department of Ecology



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<b>Development Impacts</b>	<b>Opportunities</b>
<b>Increases in impervious surface coverage.</b>	<ul style="list-style-type: none"><li>•Limit amount of property covered by impervious surfaces.</li><li>•Retain existing trees and other shoreline appropriate vegetation.</li><li>•Enhance shoreline vegetation.</li><li>•Replace existing impervious surfaces with pervious materials to the extent feasible.</li><li>•Use pervious materials for new impervious surfaces to the extent feasible.</li></ul>
<b>Removal of existing vegetation.</b>	<ul style="list-style-type: none"><li>•Retain existing trees and other shoreline appropriate vegetation.</li><li>•Enhance shoreline vegetation.</li><li>•Limit land surface modification activities and vegetation removal near the shoreline.</li><li>•Develop farther back from lake to separate development impacts from the lake.</li></ul>
<b>Increased nutrient and chemical loading to the lake</b>	<ul style="list-style-type: none"><li>•Reduce stormwater runoff quantity and improve stormwater quality through use of pervious surfaces and providing opportunities for infiltration and biofiltration of runoff.</li><li>•Use natural yard care practices and limit use of herbicides, pesticides, and fertilizers.</li><li>•Develop farther back from lake to separate development impacts from the lake.</li></ul>
<b>Introduction of non-native plants.</b>	<ul style="list-style-type: none"><li>•Remove or manage invasive vegetation.</li><li>•Retain existing trees and other shoreline appropriate vegetation.</li></ul>
<b>Introduction of lighting impacts.</b>	<ul style="list-style-type: none"><li>•Limit intensity, quantity and duration of outdoor lighting</li><li>•Appropriately shield outdoor lighting.</li><li>•Develop farther back from lake to separate development impacts from the lake.</li></ul>



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<b>Development Impacts</b>	<b>Opportunities</b>
<b>Construction of bulkheads</b>	<ul style="list-style-type: none"><li>•Enhance shoreline vegetation.</li><li>•Reduce shoreline armoring by removing bulkheads, or pulling them back from ordinary high water.</li><li>•Place fill material for purposes of habitat enhancement (creation of nearshore shallow-water habitat) waterward of the ordinary high water mark.</li></ul>
<b>Construction of piers</b>	<ul style="list-style-type: none"><li>•Reduce overwater cover through size minimization of replacement over-water structures and use of grating.</li><li>•Reduce size and number of in-water structures.</li></ul>

**Actions with Major Impact on ability to Improve/Maintain Shoreline Conditions**

**Actions with Less Major Impact to Improve/Maintain Shoreline Conditions**

### 1. Less Difficult/Major

- Retain existing trees and other shoreline appropriate vegetation.
- Enhance shoreline vegetation.
- Limit land surface modification activities and vegetation removal near the shoreline.
- Use natural yard care practices and limit use of herbicides, pesticides, and fertilizers.
- Place fill material for creation of nearshore shallow-water habitat waterward of the ordinary high water mark.
- Limit intensity, quantity and duration of outdoor lighting.

### 2. Less Difficult/Less Major

- Use pervious materials for new impervious surfaces to the extent feasible.
- Appropriately shield outdoor lighting.
- Remove or manage upland invasive vegetation
- (depending on a number of factors, such as size of area, degree of invasive cover, etc.)

### 3. Difficult/Major

- Develop farther back from lake to separate development impacts from the lake and minimize impacts to the lake and the riparian nearshore.
- Reduce shoreline armoring by removing bulkheads, or pulling them back from ordinary high water.
- Reduce overwater cover through size minimization or replacement over-water structures and use of grating.
- Reduce size and number of in-water structures.

### 4. Difficult/Less Major

- Replace existing impervious surfaces with pervious materials to the extent feasible.
- Remove or manage aquatic invasive vegetation.
- Limit amount of property covered by impervious surfaces.

**Less Difficult to Do**

**More Difficult to Do**



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- Key questions:
  - What standards should apply?
  - What mitigation techniques should apply?
    - Variety of approaches to address impacts from upland development:
      - Setback standards
      - Shoreline vegetation standards
      - Lighting standards
      - Lot coverage standards
      - Land surface modification standards
      - Stormwater/water quality standards
      - Shoreline stabilization softening
      - Potential Incentives
        - » Shoreline restoration tied to setback reduction (variety of approaches)
        - » Allow minor additions to nonconforming structures with mitigation



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## Staff's recommendation:

- Combination of strategies:
  - Upland Development
    - Setback standards
    - Shoreline vegetation standards
      - Allow alternatives
    - Lighting standards
    - Land surface modification standards
    - Stormwater/water quality standards/LID
    - Incentives
      - Shoreline restoration tied to setback reduction (variety of approaches)
      - Allow minor additions to nonconforming structures with mitigation
  - Shoreline Modifications
    - Shoreline stabilization softening, if possible, with replacement stabilization structures
    - Pier standards (not yet developed)



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## Shoreline Setbacks

- Shoreline setbacks are a key issue
- Functions of shoreline setbacks:
  - Protect shoreline functions and habitats:
    - Water quality, storm and floodwater management, shoreline stabilization, habitat
    - Greater setback = lesser impacts (e.g. less light, noise, more ability to trap sediments and remove nutrients or other chemicals, minimize the speed and quantity of runoff, provide larger intact areas for habitat, etc.)
  - Avoid damage from flooding and erosion
  - Minimize need for new shoreline stabilization features
  - Preserve and enhance views of water
  - Maintain existing character



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- New development and redevelopment at increased intensity introduces/continues impacts that must be mitigated.
- What does this mean?
  - Existing standards will need to be revised to better reflect existing conditions
  - Mitigation sequencing needed (avoid, minimize, mitigate) to lessen impacts
  - For any remaining impacts, restoration of impaired functions will need to occur to offset new impacts



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- Concept:
  - Revise shoreline setbacks to be more consistent with existing standards.
  - Focus on offsetting impacts by making improvements to riparian habitat.
  - How?
    - # of options presented:
      - Provide standards for shoreline vegetation or alternatives (e.g. use of LID, softening of shoreline, etc.)
      - Provide range of voluntary restoration options, in exchange for setback reduction



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## Conceptual shoreline setbacks for Residential – L environment

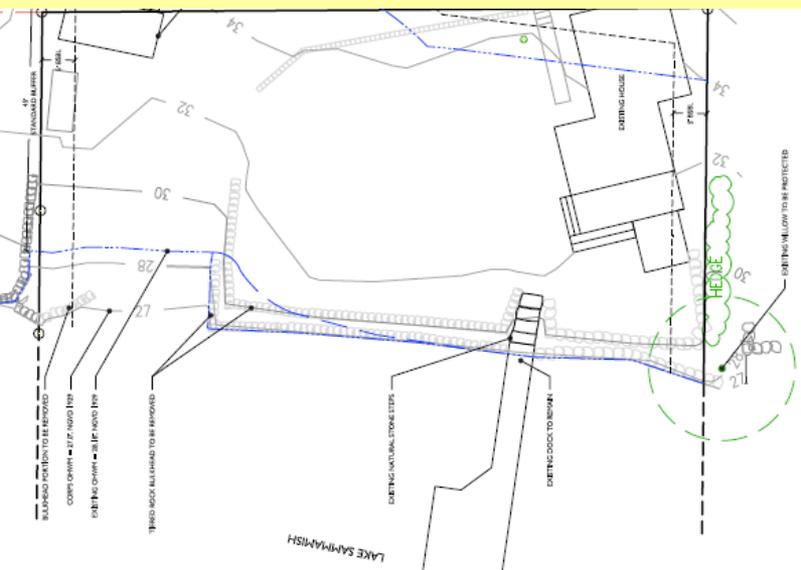
- At 11/20 Meeting, PC expressed interest in further exploring Concepts 3 and 4
  - Concept 3 (pg. 55):
    - Required shoreline setback range of 3 depths (30', 40' or 50'-70') based on lot depth.
    - No further reduction in shoreline setback would be permitted.
    - Required shoreline vegetation enhancement standards (or alternative approved measures that will provide equal benefits).
    - Special provisions for nonconforming setbacks that would permit minor additions in the shoreline setback to existing nonconforming structures located in the shoreline setback.
    - Provisions addressing nonconforming landscape standards.



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- Concept 4 (pg. 61):
  - Required shoreline setback range of 3 depths (30', 40' or 50'-70') based on lot depth.
  - Potential reduction of shoreline setback down to 25 feet in exchange for enhanced mitigation.
    - Types of mitigation:
      - Water-Related:
        - » Removal of 75% existing bulkhead
        - » Creation of beach cove
        - » Opening piped watercourses
      - Upland:
        - » Use of biofiltration/infiltration mechanisms
        - » Vegetated roofs
        - » Pervious materials
        - » Limiting total impervious
        - » Additional vegetation
  - Required shoreline vegetation enhancement standards (or alternative approved measures that will provide equal benefits).
  - Special provisions for nonconforming setbacks that would permit minor additions in the shoreline setback to existing nonconforming structures located in the shoreline setback.
  - Provisions addressing nonconforming landscape standards.



# Before Project

# Project Design

- City of Sammamish
- Example of reduction contemplated in Option 4
- 50-foot shoreline buffer reduced with enhancement

# Existing Single Family Setback

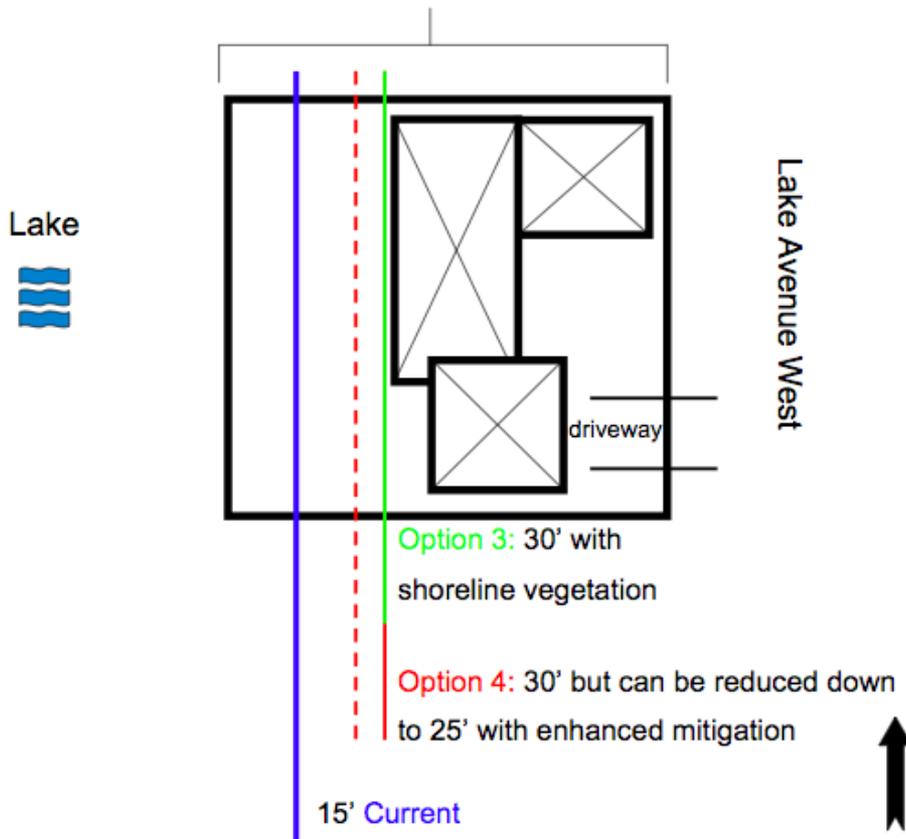
## in Market St. Neighborhood

(Residential –L Designation)

Lot Depth Group of < 100' (medium setback – 31.1')

31.24' Existing Setback

89' Lot Depth



Lot < 100'

- Existing: 15' (blue)
- Option 3: 30' with required shoreline plantings or alternative (green)
- Option 4: 30' with required shoreline plantings or alternative, additional reduction with additional mitigation

# Existing Single Family Setback

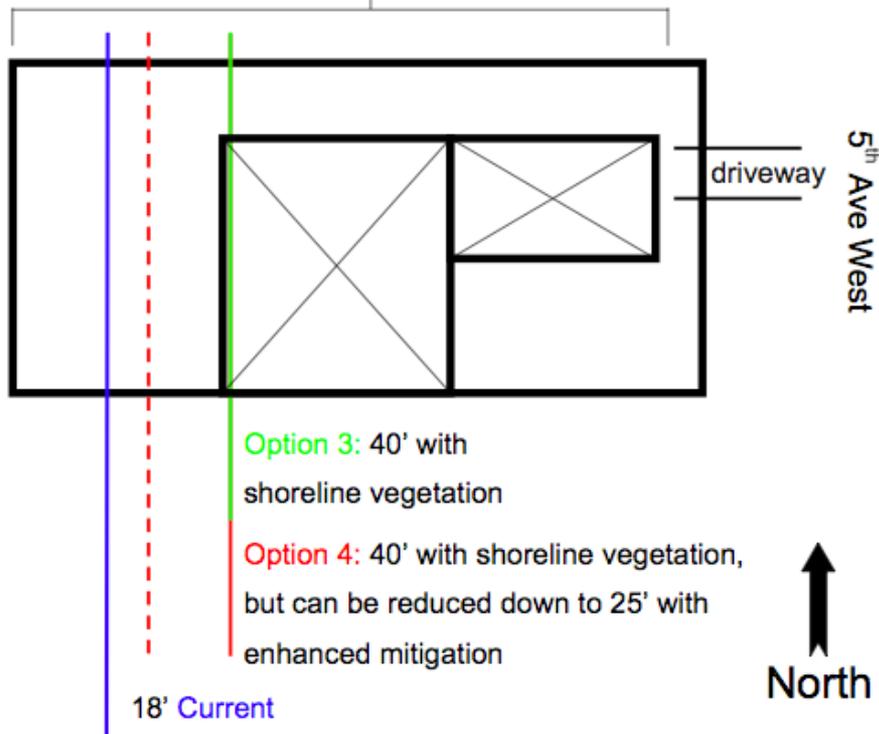
## in Market St. Neighborhood

(Residential –L Designation)

Lot Depth Group of 100' – 150' (median setback –39.8')

38.25' Existing Setback

120' Lot Depth



Option 3: 40' with shoreline vegetation

Option 4: 40' with shoreline vegetation, but can be reduced down to 25' with enhanced mitigation

18' Current



Lot 100-150'

- Existing: 15% lot depth (blue)
- Option 3: 40' with required shoreline plantings or alternative (green)
- Option 4: 40' with required shoreline plantings or alternative, additional reduction to 25' with additional mitigation (red)

# Existing Single Family Setback

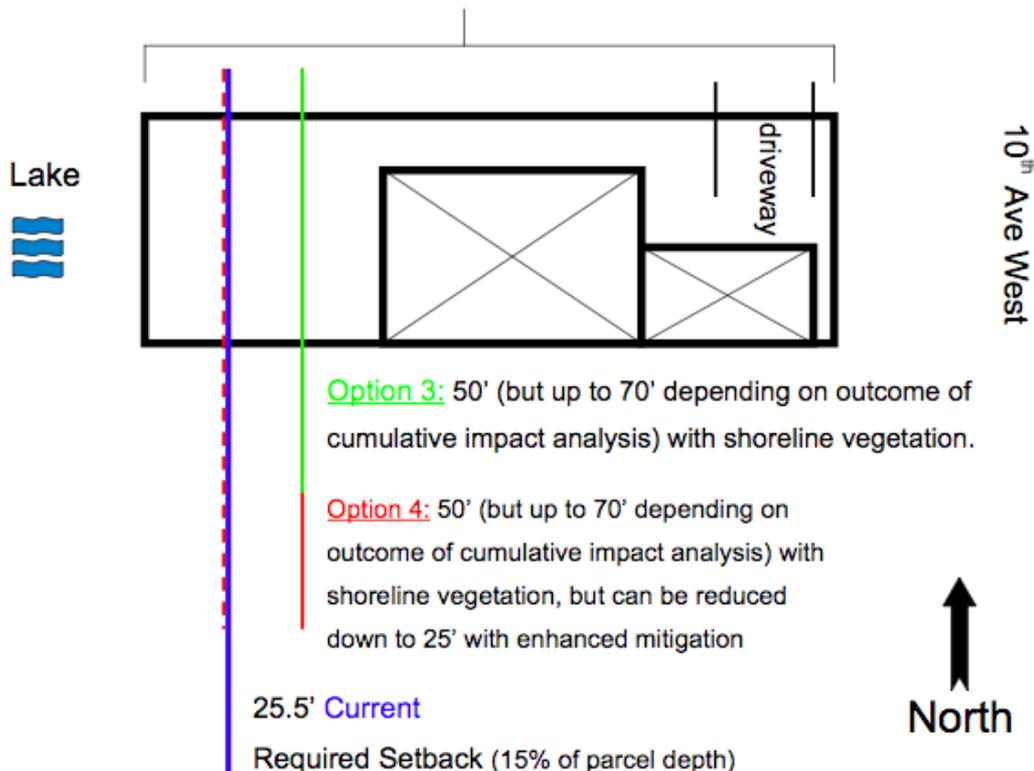
## in Market St. Neighborhood

(Residential –L Designation)

Lot Depth Group of > 150' (median setback – 74.9')

74.9' Existing Setback

170' Lot Depth



Lot > 150'

- Existing: 15% lot depth (blue)
- Option 3: 50' with required shoreline plantings or alternative (green)
- Option 4: 50(+)' with required shoreline plantings or alternative, additional reduction to 25' with additional mitigation (red)



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## Conceptual shoreline setbacks for Residential – M/H

- Concept 1: All properties subject to larger setback – no variability to account for different lot characteristics. Setback standard would increase to be consistent with existing conditions
- Concept 2:
  - Different setbacks apply by lot depth
  - All properties undergoing development/redevelopment contribute to restoration through shoreline vegetation enhancement
- Concept 3:
  - Different setbacks apply by lot depth
  - All properties undergoing development/redevelopment contribute to restoration through shoreline vegetation enhancement
  - Additional restoration would be completed in exchange for voluntary reductions in setback



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## Conceptual shoreline setbacks for Urban Mixed

- Concept 1:
  - All properties subject to larger setback – no variability to account for different lot characteristics.
  - Setback standard would increase to be consistent with existing conditions
  - All properties undergoing development/redevelopment contribute to restoration through shoreline vegetation enhancement
  
- Concept 2:
  - Different setbacks apply to different uses (preference for water dependent uses such as marinas)
  - All properties undergoing development/redevelopment contribute to restoration through shoreline vegetation enhancement
  
- Concept 3:
  - Different setbacks apply to different commercial districts
  - All properties undergoing development/redevelopment contribute to restoration through shoreline vegetation enhancement



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## Conceptual shoreline setbacks for Urban Conservancy

### – Concept 1:

- Different setbacks apply to different uses (preference for water dependent uses such as marinas)
- All properties undergoing development/redevelopment contribute to restoration through shoreline vegetation enhancement



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## Setback Encroachments (pg. 142):

- Proposed Regulations:

- Not currently addressed in existing SMP
- Would address common accessory structures such as decks, patios, eaves, bay windows, etc.
- Address access to shoreline edge

**Staff recommendation: Proposed regulations in Attachment 9**



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## Lighting (Attachment 8, pg. 97):

- Proposed Regulations:
  - Light level standards providing protection for:
    - Lake Washington
    - Natural shoreline environment.
    - Residential properties from adjoining commercial development.
  - Light pollution - direction and shielding requirements.
  - Submittal requirements, including lighting studies.
  - Nonconformances – when should compliance be required?
    - Proposed: Increase in GFA of 50%
    - What about major remodels? Should those be addressed?

**Staff recommendation: Proposed regulations in Attachment 8**



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## Miscellaneous Standards (Attachment 8, pg. 94):

- Key Issues: New standards address design of water-oriented uses.
- Proposed Regulations:
  - Screening of outdoor storage areas, rooftop appurtenances and garbage receptacles.
  - Glare.
  - Special standards for water-enjoyment uses to ensure designed to facilitate enjoyment of the shoreline.

**Staff recommendation: Proposed regulations in Attachment 8**



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## **Other comments/revisions needed on General Regulations?**

- Parking (pg. 95)
- Signage (pg. 97)
- In-Water Work (pg. 93)



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## Shoreline Development Standards (pg. 134)

- Lot Size/Density
  - Density Incentive in Residential – 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.



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## Shoreline Development Standards

- Building Height – key changes:
  - Some reductions in height from existing SMP to better reflect zoning height standards
  - Incorporated height incentive for superior view corridor that is found in zoning (R-M/H and UC)
  - Addressed height bonus approved through PUD

Shoreline Environment	Existing Zoning Standards	Existing Shoreline Standards	Proposed Shoreline Standards
Urban Mixed	25' to 55'	35' to 41'	30' 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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## Shoreline Development Standards

- Lot Coverage
  - Not currently addressed in SMP
  - Generally reflect zoning, except that waterfront properties in CBD 2 have slightly less lot coverage to account for shoreline vegetation

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	50%



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## Shoreline Uses (pg. 146)

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



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## Commercial Uses (pg. 147)

- 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

**Staff recommendation: Proposed regulations in Attachment 9**



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## Recreational Uses (pg. 148)

- 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

**Staff recommendation: Proposed regulations in Attachment 9**



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## Transportation Facilities (pg. 150)

- Key Issues: New standards for water taxis and passenger only ferries. New standard re: street tree placement to consider protection of public views.

**Staff recommendation: Proposed regulations in Attachment 9**



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## Other comments/revisions needed on Shoreline Use?

- General Standards (pg. 146)
- Residential Uses (pg. 146)
- Commercial Uses (pg. 147)
- Industrial Uses (pg. 148)
- Recreational Development (pg. 148)
- Transportation Facilities (pg. 150)
- Utilities (pg. 152)



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## Dredging (pg. 162)

- 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

**Staff recommendation: Proposed regulations in Attachment 11**



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## Land Surface Modification (pg. 163)

- Key Issues: Limiting LSM activities within shoreline setback
- Proposed Regulations:
  - Prohibit LSM activities within shoreline setback, with some exceptions:
    - Shoreline habitat enhancement projects/soft shoreline stabilization measures
    - Authorized activities
    - Maintenance, etc.

**Staff recommendation: Proposed regulations in Attachment 11**



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## **Other comments/revisions needed on Shoreline Modifications?**

- Breakwaters (pg. 161)
- Fill (pg. 165)
- Shoreline Habitat and Natural Systems Enhancement Projects (pg. 165)



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- Schedule
  - January 22 next meeting
  - Focus on:
    - Piers and docks
    - Shoreline stabilization (based on input from 11/20 PC meeting)
    - Other remaining issues (time permitting)
  - Early February – Shoreline Property Owner Meeting
  - Spring – Public Open House



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ANY QUESTIONS?