



Memo

To: Planning Advisory Board Members
From: Marc Amrine, Senior Planner
Date: January 10, 2012
Re: Shoreline Master Program Update

On January 18th, the PAB will consider adoption of a final recommendation regarding the draft update of the Shoreline Master Program for City Council consideration later in 2012. The PAB has held several meetings to discuss the July 2011 version of the master program, and changes have been incorporated into the document. A memorandum will be sent to the growing list of interested parties prior to the PAB meeting in a separate email with the correct location to the document on the City's website. This memo provides a generalized description of the changes made to the SMP document, with reference to the page numbers associated with each item.

The most recent modifications to the SMP document include:

- The creation of a new designation of "*Conservancy*". This will include the shore lands of Chambers Creek between Lake Steilacoom and the confluence of Leach Creek, the shorelands of Waughop Lake, and the portions of Oakbrook 4th Addition subdivision that fall within the shoreline jurisdiction. (pgs 15 to 17, additional changes throughout the entire document that pertain to the addition of the *Conservancy* designation)
- Modification of the *Urban Conservancy* (July 2011 version) *Environment to Urban Park Environment* (final draft version), which removes the shorelands of Chambers Creek between Lake Steilacoom to the confluence of Leach Creek, and includes all public parks and public street ends located on lakes governed by the SMP, the private conservation tract within the Eagle Point subdivision, and Lakewold Gardens. (pgs 13 to 15)
- The Environmental Designation Map must be revised to reflect items 1 and 2 above. This map will be revised to reflect the recommendation by the PAB.
- Critical areas that lie within the jurisdiction of the Shoreline Master Program have been addressed by the consultant in greater detail per comments received from the

Department of Ecology. These are located on pages 24 to 28. Critical areas within the SMP jurisdiction have been regulated by Section 14A.142 of the municipal code (adopted via Ordinance 362 in 2004). However with the adoption of the SMP update, the provisions of the SMP will control within the shoreline jurisdiction. Provisions regarding critical areas regulation are summarized below and are encompassed within pages 24 through 28:

- All setbacks and buffer provisions are controlled through the policies and regulations of the SMP. If a wetland lies within the area of the SMP jurisdiction, the 200 foot shoreline jurisdiction is extended to include the wetland. Wetland *buffers* located outside the SMP jurisdiction will continue to be regulated by the City's critical areas regulations. (see Section 2 of the proposed PAB Resolution 2012-01 Draft)
- The exemptions allowed within the Critical Areas Ordinance will not relieve the applicant from meeting all requirements of the SMP. Policies and regulations have been added to this section for projects subject to both sets of regulations.
- Reasonable Use Exceptions are not available for properties regulated by the SMP. Any variation of the development standards listed in the Critical Areas Ordinance or the SMP will be subject to the variance procedures listed in the SMP.
- The use of buffer averaging is modified for wetlands regulated by the SMP. Therefore averaging techniques listed in the Critical Areas Ordinance may not apply.
- Mitigation standards for properties subject to Critical Areas Ordinance will be subject to the SMP.
- Channel Migration Zones (CMZ) may need to be addressed for those properties located along Chambers Creek. This review would be performed during the review of a specific proposal to develop property.
- Property located within the flood hazard areas of Chambers Creek and Clover Creek will be required to meet additional regulations relating to development within the flood plain. The PAB should be advised that the *Shoreline Inventory and Characterization Report* provides a newly proposed revision by Pierce County to the flood hazard areas of Clover Creek. Chambers Creek's flood hazard areas were not modified.
- Modifications associated with provision of public access primarily in response to comments by the Master Builder's Association regarding public access. (pgs. 30, 32, 33)
- Revisions to Tables I and II that reflect modifications to the shoreline environment designations listed in Chapter 2.
- Revisions to Table II reducing the originally proposed 75-foot base setback to 65 feet for Clover Creek, Lake Louise, Gravelly Lake, American Lake, and Lake Steilacoom.
- Revisions to Table III that reflect modifications proposed by the PAB. More of an emphasis for allowed setback reductions has been placed on the removal of existing bulkheads.

- Agricultural Activities have been removed from the SMP due to the very low probability that parcels located within the jurisdiction of the SMP will be considered for such purposes. (pgs. 59 & 60)
- Definitions for “Community Pier” and “Marina” have been modified within Chapter 7. Please be advised that the regulations of the SMP have moved away from regulating the number of slips and instead place limits on the size of community docks. (pg. 61)
- Further definition of the types of “normal appurtenances” included with residential development (pg. 71)
- Additional text added to clarify comments received regarding the use and location of major and minor trails within the jurisdiction of the SMP. (pgs. 73 & 74).
- Modifications to the permitting processes have been made to reflect staff recommendations regarding referral of applications to the hearing examiner. (pages 105)
- Changes to the treatment of nonconforming structures and uses. Non-conforming structures and uses may be expanded provided the expansion complies with SMP standards. Nonconforming structures (excluding piers and docks) destroyed by fire or other involuntary calamity may be reconstructed within specific timeframes, otherwise reconstruction must meet SMP standards. Piers and docks are proposed to be held to a different standard, whereby reconstruction over certain thresholds would require that the pier/dock be brought into compliance with SMP standards.

The Parks and Recreation Department and the Parks and Recreation Advisory Board will be informed of the PAB’s recommendation on January 24, 2012.