

# **SHORELINE MANAGEMENT MASTER PROGRAM**

for the  
**City of Snohomish**

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December 7, 1976**

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December 21, 1976**

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## **ACKNOWLEDGEMENT**

The establishment of the City's Shoreline Master Program which includes the adoption of development and Use Policy, development of Use Regulations and mapping of Environments could not have occurred without the help of certain people. The City is particularly indebted to its own Shoreline Advisory Committee who under severe time limitations was able to complete this task.

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## **INTRODUCTION**

The City Council of the City of Snohomish decided to develop its own Shoreline Master Program based on the desire to have the City retain its ability for self-determination and direction.

The Shoreline Master Program was completed by the City in order to satisfy several goals:

1. Comply with the requirements of the 1971 Shoreline Management Act.
2. Allow citizens of the City of Snohomish to have input into the decision making process regarding the regulations of the City's shorelines.
3. Provide an effective management tool that would insure the proper use and development of the City's shorelines.

The overall intent of the City's Shoreline Master Program was to protect the general public's interest in the use and development of the City's shorelines while at the same time not placing unnecessary restrictions on desired development patterns and personal property rights.

## **HISTORY OF THE SHORELINE ADVISORY COMMITTEE**

The City Council requested that the City staff establish a City Shoreline Advisory Committee that would represent the major interest and concerns related to the development and use of the City's shorelines. The committee would be responsible for preparing the Use Regulations and a map showing the location of appropriate Environments.

The committee met ten times which included a day-long field trip. The meeting time and place and the responsibilities of the committee were well publicized as open meetings. The results of the committee's work were presented to the Planning Commission and then to the City Council as a public hearing.

The first task completed by the committee involved a review and discussion of the Goals and Policies developed by Snohomish County for General Development, Use Activities and Environmental Designations. After some discussion, the committee decided to accept the County's Goals and Policies, as the official goals and policy statements related to the General Development, Use Activities and Environmental Designations for the shorelines of the City of Snohomish.

The committee's next task involved the development of Use Regulations for each Environment that would apply to the City's shorelines. After considerable discussion, the committee decided that based upon the present and future development and existing natural systems that four environments were appropriate: Urban, Suburban, Rural and Natural. The committee reviewed and discussed the Use Activity Regulations and twenty activities adopted by Snohomish County.

The “General” Regulations developed for each activity by the county were adopted by the committee as the City’s General Use Regulations. These General Use Regulations were used as a reference point in the development of the individual Environmental Use Regulations. A number of subcommittees were established to identify compatible uses for each Environment and draft specific regulations for each activity that were allowed. The Environmental Use Regulations developed by each subcommittee were presented to the committee as a whole for review and discussion. After considerable debate and some changes, the Use Regulations for the four environments were finalized and accepted.

The committee’s final task was the development of a map showing the location of the four Environments along the City’s shorelines. The Use Regulations along with information concerning existing land use, anticipated development, and natural determinants such as soils, topography, vegetation, and existence of wildlife and fisheries were used by the committee in Designating Environments. A preliminary map prepared by the staff showing proposed designations served as a useful starting point from which the final map was derived.

The committee felt that it was in the long range interest of the City to do Environmental Designations for those shorelines immediately adjacent to the City’s. The rationale for this additional mapping was based on the premise that the City may be annexing a large portion of the shoreline currently adjacent to the City and under the county’s jurisdiction. The committee established the Non-City Environmental Designations with the intent of making them known to the county, so that possible changes could be incorporated into the county’s final map for those shorelines adjacent to the City’s.

## **UNIDENTIFIED USES**

Specific activities which have not been identified and for which policies and Use Regulations have not been developed will be evaluated on a case by case basis. These activities will be required to satisfy the Goals and General Development Policies of the Master Program, the policies of the Shoreline Management Act, and shall be consistent with the management, policy, and character of the shoreline environment in which they are located.

## **CONDITIONAL USES AND VARIANCES**

### **Conditional Uses**

The object of a conditional use provision is to provide more control and flexibility for implementing the regulations of the Master Program. With provisions to control undesirable effects, the scope of uses within each of the four Environments can be expanded to include a greater range of uses.

Uses classified as subject to the issuance of a conditional use permit can be permitted only by meeting such performance standards that make the use compatible with other permitted uses within that area.

Conditional use permits shall be granted only after the applicant can demonstrate all of the following:

1. The use will cause no unreasonably adverse effects on the environment or other existing or potential uses which are allowed outright in the subject Environment.
2. The use will not interfere with public use of public shorelines.
3. Design of the site will be compatible with the surroundings and the Master Program.
4. The proposed use will not be contrary to the general intent of the Master Program.

### **Variances**

Variances deal with specific requirements of the Master Program, and their objective is to grant relief when there are practical difficulties or unnecessary hardship if the strict letter of the Master Program were carried out. The applicant must show that if he complies with the provisions of the Master Program he cannot make any reasonable use of his property. The fact that he might make a greater profit by using his property in a manner contrary to the intent and provisions of the Program is not a sufficient reason for variance approval. A variance will be granted only after the applicant can demonstrate the following:

1. The hardship which serves as the basis for granting the variance is specifically related to the property of the applicant and does not apply generally to other property in the vicinity in the same Environment.
2. The hardship results from the application of the requirements of the Shoreline Management Act and Master Program and not from deed restrictions or the applicant's own actions.
3. The variance, if granted, will be in harmony with the general purpose and intent of the Master Program.
4. Public welfare and interest will be preserved; if more harm will be done to the area by granting the variance than would be done to the applicant by denying it, the variance shall be denied.

All applications for variances and conditional uses shall be forwarded to the Department of Ecology, pursuant to WAC 173-16-070, for the final approval or disapproval. No approval or disapproval shall be considered final until same has been acted upon by the Department of Ecology.

## **NON-CONFORMING USES**

All uses which existed prior to the adoption of the shoreline use regulation and which are not permitted uses under the shoreline use regulations are allowed as non-conforming uses. All non-conforming uses subject to these regulations shall be discontinued twenty-five years from the effective date of the Shoreline Use Regulation Ordinance. If for a continuous period of one year, a non-conforming use is discontinued, such use will no longer be allowed. If the building in which a non-conforming use is located is destroyed in part or total, the non-conforming use shall be allowed to continue in the repaired or new building for a period not to exceed the twenty-five year limitation.

## **SHORELINE DEVELOPMENT AND USE POLICY**

After reviewing and discussing the Goals and Policies established by the County's Shoreline Advisory Committee for General Development, Use Activities and Environments, the City decided to adopt them as the official policy statements for the City's shorelines. Any reference to Goals and Policies within the City's Shoreline Master Program will refer to those Goals and Policies established by the County Shoreline Advisory Committee (see Appendix I for Goals and Policies adopted by the County Advisory Committee).

**Reference:** Section 14.49, Shoreline Development

## USE REGULATIONS

### **Purpose of Use Regulations**

The Use Regulations provide the legal basis that insures that all future development along the City's shorelines conform to the intent and purpose of the Goals and Policies adopted by the City and the Shoreline Management Act. The regulations along with the Goals and Policies will provide the main criteria that will be used to evaluate proposed development and alteration to the shoreline environment. The Use Regulations are designed to supplement, not duplicate, existing City land use codes and other governmental regulations. The effectiveness of the Shoreline Master Program as a tool to manage the use and development of the City's shorelines will depend primarily on the proper interpretation and enforcement of these Use Regulations.

Three types of regulations were adopted: General Requirements, General Use Regulations, and Environmental Use Regulations. The General Requirements placed uniform restrictions on all uses regardless of the Environment in which they are located. The General Requirements insured that the Use Regulations did not conflict with the other land development laws. The General Use Regulations provided minimal development requirements for some twenty use activities. The General Use Regulations provided a point of reference in the development of the Environmental Use Regulations. The Environmental Use Regulations defined the specific development requirements that would be imposed along the City's shorelines. These regulations served to protect the character of each Environment by defining the type of development allowed.

### **General Requirements**

All uses must conform to the following general minimum requirements regardless of the Environment in which they are located:

1. The use does not conflict with the goals, objectives and policies of the Master Program.
2. The use is consistent with the regulations of the City of Snohomish Zoning Code and is a permitted or accessory use in the underlying zoning district.

or

The use is subject to the issuance of a conditional use or special use permit in the underlying zoning district and such permit has been approved by the appropriate authority.

3. These Use Regulations may not be construed to lessen the requirements of any other City regulation.
4. The use will be designed and situated so as to conform to the performance standards of the underlying zoning districts.

5. The use shall not be approved when its safety or viability would be dependent upon another use or structure which is prohibited within the respective Environment.
6. In the event of a conflict between the regulations of this program and the regulations of any other federal state or local law, the stricter shall prevail.

### **General Use Regulations**

The General Use Regulations adopted by the City were established in order to serve as a point of reference in the development of the Environmental Use Regulations and to aid in the enforcement and administration of the City's Shoreline Use Regulations. Any reference to the "General Use Regulations" within the City's Shoreline Use Regulations will refer to the "General" Regulations adopted by the County's Advisory Committee as part of their Use Activity Regulations. The Forest Management practices Regulations adopted by the county, however, were deleted from the City's General Use Regulations, since there are no commercially valued forested areas along the City's shoreline.

### **Environment Use Regulations**

The Environmental Use Regulations adopted by the City provided the backbone for the City's Shoreline Master Program. They were designed to encourage uses and place reasonable standards and restrictions on development that would recognize and protect the character of each of the Environments utilized. The Environmental Use Regulations were the end result of combining the City's Shoreline Goals and Policies with the adopted General Use Regulations and Use Regulations developed by other cities. These regulations impose the same restrictions on uses as the General Use Regulations but also include additional and/or different requirements that might have been needed in order to protect the character of each Environment. The Environmental Use Regulations, as supplemented by the General Use Regulations, were designed to serve as the principal regulations to be used in the administration and enforcement of the City's Shoreline Master Program.

Four separate Environmental Use Regulations were developed for the following environments: Urban, Suburban, Rural and Natural. The degree of restrictions imposed by the individual Environmental Use Regulations depended on the type of environmental character that was to be protected. The Urban Environment was the least restrictive, since it allowed almost all uses with minimal restrictions. The Suburban and Rural Environments were mid-ranged in the restrictions imposed. The Natural Designation was the most restrictive, since all development was prohibited except that which would not harm the Natural Environment or was needed to protect the health and safety. The Environmental Use Regulations appearing on the next 11 pages define the purpose of each Environment, the use permitted and the restrictions to be imposed, and the uses which are prohibited.

## **Use Regulations for Urban Environment**

The objective of the Urban Environment is to insure optimum utilization of shorelines within urbanized areas by providing for intensive public use and by managing development so that it enhances and maintains shorelines for a multiplicity of urban uses.

### **Agriculture**

Agriculture is permitted in the Urban Environment subject to the General Regulations.

### **Aquaculture**

Aquaculture is permitted in the Urban Environment subject to the General Regulation.

### **Commercial Development**

1. Any commercial structure or facility, except one which requires or is dependent on direct, contiguous access to the water, shall be set back from the ordinary high water mark by a minimum of ten (10) feet.
2. Commercial development may be located on landfill or over water PROVIDED that such development must require or be dependent on direct, contiguous access to the water or must provide substantial numbers of the public the opportunity to physically or visually enjoy the shoreline.
3. General Use Regulations number 2. for Commercial Development (refer to County Use Activity Regulations for this use under "General"), is excluded in the Urban Environment.

### **Marinas**

1. Perimeters of parking areas must be landscaped, preferably with appropriate native vegetation, so as to be not visible from the water. The permit application must identify where landscaping is to be placed and of what it will consist. Landscaping shall be installed within one (1) year of commencement of construction.
2. Lakeside Marinas are prohibited in the Urban Environment.

### **Mining**

1. Mining is allowed in the Urban Environment subject to the General Regulations.
2. Open pit mining shall be allowed in the designated hydraulic floodway in the Urban Environment.

## Signs

1. The maximum allowable height for all signs shall be thirty-five (35) feet from ground level to sign top in areas dominated (more than 50% of land area within a 300-foot radius) by commercial uses.
2. The maximum allowable height for all signs shall be five (5) feet from ground level to sign top in areas dominated (more than 50% of land area within a 300-foot radius) by residential uses.

## Residential Development

Residential Development shall be permitted in the Urban Environment subject to the General Regulations.

## Utilities

Utility facilities are permitted in the Urban Environment subject to the General Regulations.

## Ports and Water Related Industry

1. Ports and water-related industry are permitted in the Urban Environment subject to the General Regulations.
2. In the Urban Environment, General Use Regulations number 1. (refer to County Use Activity Regulations for this use under “General”), shall be modified to permit non-water related industries to locate within 200 feet of the shorelines; however priority shall be given to water-related industries.

## Bulkheads

Bulkheads are permitted in the Urban Environment subject to the General Regulations.

## Breakwaters

Breakwaters are allowed in the Urban Environment subject to the General Regulations.

## Jetties and Groins

Jetties and groins are allowed in the Urban Environment subject to the General Regulations.

## Landfills

Landfills are permitted in the Urban Environment subject to the General Regulations.

### Dredging

Dredging and dredge spoil shall be allowed in the Urban Environment subject to the General Regulations.

### Shoreline Stabilization and Flood Control

Shoreline stabilization and flood protection measures are permitted in the Urban Environment subject to the General Regulations.

### Roads and Railroads

Road and railroads are permitted in the Urban Environment subject to General Regulations.

### Piers

Piers are allowed in the Urban Environment subject to General Regulations.

### Archeological Areas and Historic Sites

All archeological areas and historic sites must conform to the General Regulations.

### Recreation

Recreation uses shall be permitted in the Urban Environment subject to the General Regulations.

### Activities Prohibited

Solid Waste Disposal

## **Use Regulations for Suburban Environment**

The objective of designating a Suburban Environment is to protect, maintain and enhance low and medium density shoreline residential areas. Low to medium density development will not exceed eight units per acres. Preservation of the natural features and suburban character of shoreline areas placed in this environment is of prime importance.

### Agriculture

Agriculture is permitted in the Suburban Environment subject to the General Regulations.

### Aquaculture

1. Aquaculture is permitted in the Suburban Environment only upon the issuance of a conditional use permit.
2. Aquaculture structures shall not detract from the aesthetic qualities of the surrounding environment.

### Forest Management

Forest Management Practices are permitted in the Suburban Environment only upon issuance of a conditional use permit.

### Commercial Development

1. Commercial Development shall be prohibited within the Suburban Environment EXCEPT those developments which are of a neighborhood-serving orientation. Such developments may include: restaurants, neighborhood retail stores, and grocery stores.
2. Any commercial structure or facility, except one which requires or is dependent on direct, contiguous access to the water, shall be set back from the ordinary high water mark by a minimum of fifty (50') feet.

### Signs

1. The maximum allowable height for all signs shall be thirty-five (35) feet from ground level to sign top in areas dominated (more than 50% of land area within a 300-foot radius) by commercial uses. The signs shall not exceed 8 feet by 10 feet (8x10) in size.
2. Maximum allowable height for all signs shall be five (5) feet from ground level to sign top in areas dominated (more than 50% of land area within a 300 foot radius) by residential uses. The signs shall not exceed 3 feet by 5 feet (3x5) in size.

### Exception to 1 and 2

Flush mounted signs be placed on tall buildings so that the top of the sign is about the height of the limits of 1. and 2., as long as the height of the sign itself is not more than fifteen (15) feet in industrial or commercial areas or three (3) feet in residential areas.

### Residential Development

Residential Development shall be permitted in the Suburban Environment subject to the General Regulations.

### Utilities

Utility facilities are permitted in the Suburban Environment subject to the General Regulations.

### Bulkheads

Bulkheads are permitted in the Suburban Environment subject to the General Regulations.

### Breakwaters

Breakwaters are allowed in the Suburban Environment subject to the General Regulations.

### Jetties and Groins

Jetties and groins are allowed in the Suburban Environment subject to the General Regulations.

### Dredging

1. Dredging and dredge spoil disposal shall be allowed in the Suburban Environment subject to the General Regulations.
2. Dredge spoil disposal is permitted in designated spoils disposal areas.
3. Applications for spoil areas must show the ultimate use of the site will be for a use permitted within the Suburban Environment.

### Shoreline Stabilization and Flood Protection

Shoreline Stabilization and Flood Protection measures are permitted in the Suburban Environment subject to the General Regulations.

### Roads and Railroads

1. Roads and Railroads are permitted in the Suburban Environment subject to the General Regulations.

2. Commercial parking lots are prohibited in the Suburban Environment.

#### Piers

Piers shall be allowed in the Suburban Environment subject to the General Regulations. They shall conform to the County Code until such time as the City adopts a code.

#### Archeological Areas and Historic Sites

All archeological areas and historic sites must conform to the General Regulations.

#### Recreation

Recreation uses shall be permitted in the Suburban Environment subject to the General Regulations.

#### Activities Prohibited

1. Mining
2. Landfills and Solid Waste Disposal
3. Ports and Water-Related Industry
4. Marinas

## **Use Regulations for Rural Environment**

The objective of designating a Rural Environment is to protect agricultural land from urban expansion, restrict intensive development along undeveloped shorelines, function as a buffer between urban areas, and maintain open spaces and opportunities for recreational uses compatible with agricultural activities.

### **Agriculture**

Agriculture is permitted in the Rural Environment subject to the General Regulations.

### **Aquaculture**

Aquaculture is permitted in the Rural Environment subject to General Regulations except on Class I through Class IV soils.

### **Commercial Development**

1. Commercial Development or activity shall be prohibited on rural shorelines EXCEPT for those developments or activities which do not substantially change the character of that Environment. Such developments may include: restaurants, campgrounds, group camps, and similar recreational facilities; craft or antique stores and the like; hunting and fishing and other private club structures; game preserves and private parks; and commercial uses in restoration of historical structures.
2. Any Commercial structure or facility, except one which requires or is dependent on direct, contiguous access to the water, shall be set back from the ordinary high water mark by a minimum of fifty (50) feet.
3. Commercial Development shall be allowed on prime agricultural land.

### **Marinas**

1. Parking for boat launching facilities is prohibited within 50 feet of the shoreline. Perimeters of parking areas must be landscaped, preferably with appropriate vegetation, so as to be not visible from the water. The permit application must identify where landscaping is to be placed and of what it will consist. Landscaping shall be installed within one (1) year of commencement of construction.
2. Structures for accessory uses which are not strictly shoreline dependent shall not be located over water.
3. Marinas are prohibited on prime agricultural land.

## Mining

1. Mining is a conditional use in the Rural Environment.
2. Open pit mining shall be allowed in the designated hydraulic floodway.
3. A 50-foot buffer of undisturbed soil and vegetation shall be maintained between mining sites, including all accessory developments, and other properties not used for mining and abutting bodies of water or natural wetlands; provided that, the water body buffer requirement may be waived for approved streamway bar scalping operations.
4. There shall be no processing of minerals at the bar removal sites; all processing shall be done at the plant site or at some other approved site within the City.

## Signs

The maximum allowable height for all signs shall be five (5) feet from ground level to sign top. Flush mounted signs may be placed on a wall higher than five (5) feet above ground as long as the height of the sign itself does not exceed three (3) feet.

## Residential Development

1. Multi-family dwellings shall be prohibited in the Rural Environment unless contained in a Planned Residential Development approved pursuant to the City of Snohomish Zoning Code.
2. Residences shall maintain a 50-foot setback from the ordinary high water mark in the Rural Environment.
3. Alterations of topography and the land water interface shall be minimized. The need for such alteration shall be documented in the permit application.

## Utilities

Utility facilities are permitted in the Rural Environment subject to the General Regulations.

## Ports and Water Related Industry

Ports and water-related industry are not permitted in the Rural Environment EXCEPT that areas for dry land and water storage and handling of logs shall be permitted upon the issuance of a conditional use permit.

## Bulkheads

Bulkheads are permitted in the Rural Environment subject to the General Regulations.

### Breakwaters

Breakwaters are allowed in the Rural Environment subject to the General Regulations.

### Jetties and Groins

Jetties and groins are allowed in the Rural Environment subject to the General Regulations.

### Landfills and Solid Waste Disposal

1. Landfills within any 100-year flood plain of a river shall be allowed in the Rural Environment solely for the purpose of floodproofing a structure and shall be subject to the limitations of the National Flood Insurance Act.
2. Landfills shall not be permitted in the Rural Environment for the purpose of creating new land area.
3. Landfills within a river channel shall not be permitted.

### Dredging

1. Dredging in the Rural Environment is permitted subject to the General Regulations.
2. Dredge spoil disposal is permitted in designated spoils disposal areas within the Rural Environment. Such disposal areas shall be identified by the Master Program.
3. Applications for spoil disposal areas must show that ultimate use of the site will be for a use permitted within the Rural Environment.

### Shoreline Stabilization and Flood Protection

Shoreline Stabilization and Flood Protection measures are permitted in the Rural Environment subject to the General Regulations.

### Roads and Railroads

1. Roads and Railroads are permitted in the Rural Environment subject to the General Regulations.
2. Commercial parking lots are prohibited in the Rural Environment.

### Piers

Piers shall be allowed in the Rural Environment subject to the General Regulations.

### Archeological Areas and Historic Sites

All Archeological Areas and Historic Sites must conform to the General Regulations.

### Recreation

Recreation uses shall be permitted in the Rural Environment subject to the General Regulations.

### Activities Prohibited

1. Ports and Water Related Industry
2. Solid Waste Disposal

## **Use Regulations for Natural Environment**

The object in designating a Natural Environment is to preserve and restore those natural resource systems existing relatively free of human influence. Policies to achieve this objective should aim to regulate all potential developments degrading or changing the natural characteristics which make these areas unique and valuable.

### **Agriculture**

Only passive agriculture uses such as pasture and grazing lands shall be permitted in the Natural Environment PROVIDED that no clearing, construction, or other operations which measurably change the character of the Environment occur.

### **Aquaculture**

1. Aquaculture, not involving the construction of facilities, is permitted in the Natural Environment upon the issuance of a conditional use permit PROVIDED that the natural ecosystems of the Environment shall not be significantly altered.
2. Floating Aquaculture structures are not permitted.

### **Piers**

Piers and other permanent moorages shall not be permitted in the Natural Environment. Floating walkways or other similar over water pedestrian structures facilitating access to observation point or viewing areas shall be permitted provided they are constructed to minimize alteration of natural conditions.

### **Recreation**

Very low intensity recreation uses, such as passive viewpoints, trails, or limited picnic facilities, shall be permitted in the Natural Environment, subject to the following regulations:

- A. Roads and parking, picnic and camping facilities (including restrooms) shall not be located on the shoreline. Trail access should be provided to link upland facilities to the shoreline.
- B. Golf courses, playing fields, and other large areas devoted to athletic activities will not be permitted on natural shorelines.
- C. Use of pesticides, herbicides, and fertilizers is prohibited.
- D. Landscaping must, where possible, use indigenous, self-maintaining vegetation.

## Shoreline Stabilization and Flood Protection

Shoreline Stabilization and Flood Protection are not permitted in the Natural Environment EXCEPT as may be necessary to protect existing development and only when their construction would not destroy the viability of the Natural Environment.

### Signs

Signs shall be prohibited in the Natural Environment, EXCEPT for signs, not to exceed four square feet per face, identifying public facilities.

### Utilities

1. Utility systems, including transmission lines, pipelines, sewer trunk lines and treatment plants, water mains, and similar facilities, shall be prohibited on natural shorelines, except where unavoidably necessary to cross a body of water.
2. Any utility brought into a Natural Environment shall be so located that it minimizes environmental impact on scenic views or aesthetic qualities.

## Archeological Areas and Historic Sites

All Archeological Areas and Historic Sites must conform to the General Regulations.

### Activities Prohibited

1. Breakwaters
2. Bulkheads
3. Commercial Development
4. Dredging
5. Jetties and Groins
6. Landfills and Solid Waste Disposal
7. Marinas
8. Mining
9. Ports and Water-Related Industry
10. Residential Development
11. Roads and Railroads

## **Map of Environments**

The mapping of the four Environments was accomplished by integrating the Use Regulations and the Shoreline Goals and Policies with information concerning existing land use, ownership and natural systems. The location of each Environment was done so as to match their respective characters and Environmental Use Regulations with the type of development that should be encouraged for each segment of the City's Shorelines. Environmental Designations for shoreline areas adjacent to the incorporated limits of the City were established to provide input into the county's final environmental map and to define the location of Environments for areas that could be annexed to the City. The Map of the Environments along with the Use Regulations and the Shoreline Goals and Policies were developed to provide the major tools to be used in the administration and enforcement of the City's Shoreline Master Program. A map defining the location of each Environment along the City's shoreline is provided on the next page.

## **Permit Procedures**

### **Purpose of Permit Procedures**

The intent of the permit procedures as established by ordinance was to provide an administrative mechanism for implementing the City's Shoreline Master Program. The permit procedures were designed to inform all concerned and affected persons of the following:

1. The existence of the requirement for obtaining a shoreline permit before any substantial development will be allowed along the City's shorelines.
2. Who within the City government of the City of Snohomish is responsible for administering the rules and regulations of the Shoreline Master Program and issuing the permits.
3. The process which all applicants must follow in applying and obtaining a shoreline permit.
4. The requirement for a public hearing to be held by the Planning Commission to insure that all proposed development is consistent with the Goals and Policies and Use Regulations of the City's Shoreline Master Program.
5. The time limits imposed before development is allowed after a shoreline permit is issued.
6. The persons responsible for the enforcement of the permit process and compliance with the intent of the City's Shoreline Master Program.

**Shoreline Permit Application:** (See Appendix I)

# **Goals and General Development Policies**

## A. SHORELINE USE ELEMENT

**Goal:** Assure appropriate conservation and development of Snohomish County's shorelines by allowing those uses which are particularly dependent upon their location on and use of shorelines, as well as other development which provides an opportunity for substantial numbers of people to enjoy the shorelines. This must be done in a manner which will achieve an orderly balance of shoreline uses that do not unduly diminish the quality of the environment.

### **Policies:**

1. Permit only those uses or conditions which allow optional uses for future generations, unless identified benefits clearly compensate for the physical, social and/or economic loss to future generations.
2. Assure that all uses and developments are as compatible as possible with the site, the surrounding area and the environment.
3. Provide site development performance standards and other appropriate criteria to developers indicating minimum acceptable standards to be achieved.
4. Identify all existing inappropriate uses and formulate a relocation program, using a variety of incentives to accomplish this objective.
5. Foster uses which protect the potential long-term benefits to the public from compromise by short-term economic gain or convenience.
6. Encourage multiple use of shorelines where location and integration of compatible uses or activities is feasible.
7. Shoreline land and water areas which are particularly suited for specific and appropriate uses should be reserved for such uses whether they are existing or potential.
8. Prohibit uses not water surface nor shoreline dependent, which permanently alter the shoreline, conflict with, or preempt other shoreline dependent uses.
9. Allow uses, on a specified interim basis, which are not shoreline related, if not permanent and if not requiring permanent modifications of natural shorelines.
10. Implement a management system which will plan for and permit all reasonable and appropriate uses by providing a system of priorities. Those priorities will be established for each designated environment using the following criteria:
  - a. Protection and enhancement of natural areas or systems - those identified as containing or having unique geological, ecological or biological significance;

- b. Water dependent uses - all uses that cannot exist in any other location and are dependent on the water by reason of the intrinsic nature of their operations;
  - c. Water related uses - those uses which do not depend on a waterfront location to continue their operation, but whose operation is facilitated economically by a shoreline location;
  - d. Non-water related uses - those uses which do not need a waterfront location to operate though they may need easements or utility corridors for access to the water;
  - e. Prohibited uses - those uses which have no relation to the water and whose operation is intrinsically harmful to the shoreline.
11. Initiate and support continuing biological, geological, ecological, and economic studies of shoreline systems, which will provide a continuously updated data base against which the impact of any proposal relative to the Snohomish County Master Program can be judged.
  12. Require all developments to plan for and control runoff and when necessary treat it before discharging from the site.

**B. ECONOMIC DEVELOPMENT ELEMENT**

**Goal:** Allow only those industrial, commercial and recreational developments particularly dependent upon their location on and use of Snohomish County's shoreline, as well as other developments that will provide substantial numbers of the public an opportunity to enjoy the shorelines. Minimal disruption of the natural environment is envisioned in the implementation of this goal.

**Policies:**

1. Give priority to commercial, industrial and recreational development that is water-surface or shoreline dependent and those developments that will provide substantial numbers of the public an opportunity to enjoy the shoreline.
2. Limit the adverse effects of new commercial, industrial and recreational development upon the physical environment and natural processes.
3. Prevent commercial and industrial development from scattering randomly or from locating in undeveloped areas prematurely.
4. Locate commercial and industrial development in areas already developed so long as such areas have not reached their carrying capacity.
5. Encourage the development of commercial, industrial and recreational activities which can make use of existing public services.

6. Encourage development toward a multi-use concept to provide public access to the shoreline while maintaining the economic viability of the principal use.

#### C. **PUBLIC ACCESS ELEMENT**

**Goal:** Assure and regulate safe, convenient and diversified access for the public to the publicly owned shorelines of Snohomish County and assure that the intrusions created by public access will recognize the rights of private property owners, will not endanger life, and will not adversely affect fragile natural areas.

**Policies:**

1. Respect and protect the enjoyment of private rights in shoreline property when considering public access development.
2. Locate, design and maintain public access development so as to protect the natural environment and natural processes.
3. Provide for the public health and safety when developing public access.
4. Purchase or otherwise make available to the public shoreline properties including tideland tracts if their value for public use merits such action.
5. Provide for and design various types of access which are appropriate to the shoreline environment and its specific uses.
6. Control and regulate public access to insure that the ecology shall not be unduly damaged by public use.

#### D. **CIRCULATION ELEMENT**

**Goal:** Permit safe and convenient circulation systems appropriate to the shoreline environment which cause minimum disruption to shoreline access, shoreline environment, and minimum conflict between the different users.

**Policies:**

1. Locate and design circulation systems so as to preserve a high number of options and to allow for rapid technological advances.
2. Locate and design circulation systems so as to insure the overall integrity of other social and economic activities and natural systems.
3. Design circulation systems which provide safe and efficient movement of people and products while providing for alternative modes of transportation.

4. Allow only those circulation activities which do not produce undue pollution of the physical environment and which do not reduce the benefits which people derive from their property without due compensation.
5. Locate and design major circulation systems well away from the land-water interface except for necessary crossings so that natural shorelines and floodplains remain substantially unmodified.
6. Encourage the use of waterborne transportation and commuter ferry service.
7. Encourage corridors for transportation and utilities when they must cross shorelines.

**E. HISTORICAL, CULTURAL, SCIENTIFIC ELEMENT**

**Goal:** Protect, preserve and encourage restoration of those sites and areas on the shorelines of Snohomish County which have significant historical, cultural, education or scientific values.

**Policies:**

1. Preserve and protect to the maximum extent all shoreline area sites, buildings, structures and objects which have been placed on the national or state historical register.
2. Preserve permanently for scientific study and public observation all areas known to contain significant archeological data.
3. Preserve for public benefit, with opportunity for appropriate public utilization, significant historic, scientific, and educational areas of the shorelines.

**F. RECREATIONAL ELEMENT**

**Goal:** Provide additional opportunities and space for diverse forms of recreation for the public.

**Policies:**

1. Identify, obtain, preserve and protect areas with high values for recreation before other development makes such action impossible.
2. Preserve scarce resources when developing recreational uses.
3. Encourage location, design and operation of recreational development for maximum compatibility with other uses and activities.
4. Provide a balanced choice of recreational opportunities.

5. Encourage innovation and cooperative techniques among public agencies and private persons which increase and diversify recreation opportunities.
6. Encourage private investment in recreational facilities open to the public.
7. Do not substantially impair original natural or recreational values when developing recreational uses.
8. Give recognition to the recreational values of shorelines in their natural state.
9. Encourage compatible recreational uses in transportation and utility corridors.

## G. CONSERVATION ELEMENT

**Goal:** Assure preservation, protection and restoration of Snohomish County's unique and nonrenewable resources while encouraging the best management practices for the continued sustained yield of renewable resources of the shorelines.

**Policies:**

1. Preserve the scenic and aesthetic qualities of shorelines and vistas.
2. Provide for a beneficial utilization of shoreline related resources without harming other natural systems or the overall quality of the natural environment.
3. Identify those areas which have a potential for restoration of damaged features or ecosystems to a higher quality than may currently exist, develop standards for the conditions in those areas, and provide incentives for achieving such standards.
4. Provide incentives to preserve unique, rare and fragile natural features and resources as well as scenic vistas, parkways and habitats of wildlife.
5. Give priority to maintaining the function of natural systems.
6. Encourage the best management practices for the sustained yield of replenishable resources.
7. Identify those areas which are necessary for the support of wild and aquatic life and those having unique geological/biological or historical significance and prohibit or severely restrict development in those areas.
8. Encourage public and private shoreline owners to promote the proliferation of wildlife, fish and plants without unduly interfering with existing activities.
9. Preserve those areas which have rare and unique estuarine vegetation or are the habitats of rare and endangered species.

## H. AGRICULTURAL ELEMENT

**Goal:** Promote the development and growth of the county's agricultural industry and preserve the county's existing and potential agricultural land.

**Policies:**

1. Protect prime agricultural lands from incompatible and preemptive patterns of development.
2. Preserve and maintain for present and future needs all existing and potential areas having a high capability to support agricultural activities.
3. Protect and promote tree farming operations in appropriate areas.
4. Permit only those developments on prime agricultural land that are required to maintain, develop or enhance viable farm, agricultural or aquacultural enterprises; e.g.,
  - a. Barns, milk parlors, loafing sheds, storage sheds, etc.;
  - b. Farm houses, garages, etc.;
  - c. Roads, dikes, drainage ditches, etc.;
  - d. Rearing ponds, hatcheries, etc.;
  - e. Agricultural waste disposal facilities.
5. Prohibit filling that causes river or stream hydraulic pressures to adversely affect existing or potential agricultural or aquacultural areas.
6. Prohibit filling or development that threatens natural or existing drainage from existing or potential agricultural or aquacultural areas.

## I. IMPLEMENTATION ELEMENT

**Goal:** Further the intent and policy of the Shoreline Management Act of 1971 through a fair, balanced and impartial administration of the substantial development permit process and other legal requirements of the act.

**Policies:**

1. Base all official actions relating to Substantial Development Permits upon the goals, policies, environmental designations, use allocations and performance standards contained within the Shoreline Management Act and the Shoreline Master Program.

2. Employ the performance standards of the Master Program equitably to insure the highest degree of shoreline protection consistent with the proposed development.
3. Process Substantial Development Permits as expeditiously as the law and thorough analysis and review will allow.
4. Seek advice and assistance from recognized experts at federal, state, or local levels whenever technically complex issues are involved in a Substantial Development Permit.
5. Grant variances from the provisions of the Master Program only in those limited instances when strict compliance with the provisions of the Master Program would prevent any reasonable use of the property involved; variances shall be granted in strict compliance with the provisions of the Washington Administrative Code relating to same. (WAC 173-16-070(2)).
6. Approve Conditional Use when they will further the intent of the Master Program, be compatible with their surroundings, and be regulated to minimize undesirable effects on the shorelines of the county; Conditional Uses shall be approved in strict compliance with the provisions of the Washington Administrative Code relating to same. (WAC 173-16-070(1)).
7. Comply with the requirements of the State Environmental Policy Act in processing Substantial Development Permits, when applicable, as a means of thoroughly evaluating the impact of a proposed development on the county's shorelines and, thus, furthering the intent of the Master Program.
8. Provide assistance to the general public as necessary and proper with regard to the provisions and requirements of the Shoreline Management Act of 1971 and Snohomish County's Master Program.
9. Provide for periodic review of shoreline uses and their locations as to appropriateness and compatibility with goals and policies.

# **Use Activity Policies**

## **AGRICULTURAL PRACTICES**

1. Encourage the maintenance of a buffer of permanent vegetation or other soil erosion control measures between tilled areas and associated water bodies which will retard surface runoff and reduce siltation.
2. Comply with control guidelines prepared by the U.S. Environmental Protection Agency and State and local agencies, for regulating the location of confined animal feeding operations, retention and storage ponds for feed lot wastes, and stockpiles of manure solids along the County's shorelines so that water area will not be polluted.
3. Encourage the use of erosion control measures, in conformance with standards established by the Soil Conservation Service, U.S. Department of Agriculture.

## **AQUACULTURE**

1. Locate aquaculture enterprises in areas where the navigational access of upland owners and commercial waterborne traffic is not significantly restricted.
2. Consider and minimize the possible detrimental impact aquacultural development might have on view from upland property on the general aesthetic quality of the shoreline area.
3. Encourage development of underwater aquaculture structures which do not interfere with navigation or seriously degrade the aesthetic quality of County shorelines.
4. Consider and minimize the possible detrimental impact aquacultural development might have on agricultural practices, recreation, and other economic activities located on County shorelines.
5. Ecological balance should be considered when introducing nonnative fish or shellfish, plant or animal life.

## **FOREST MANAGEMENT PRACTICES**

1. Require forest land owners to conduct harvesting practices, including road construction and debris disposal, so as to minimize visual impact on views and viewpoints in shoreline areas of the County.
2. Require that logging within all shoreline areas be conducted to ensure adequate protection to fish populations, water quality and stream banks.
3. Ensure that timber harvesting on Shorelines of State-wide Significance does not exceed the limitations established in RCW 90.58.150.

4. Require proper road, bridge and drainage design, location, construction and maintenance practices to prevent development which would adversely affect shoreline resources.
5. Require that all forest management practices in shorelines of the County be conducted to maintain the applicable State Water Quality Standards currently in effect.
6. Require that logging and thinning operations be so conducted to prevent the accumulation of slash and other debris in waterways of shorelines of the County.
7. Ensure that adequate measures are taken in the process of timber harvesting to prevent substantial sediment, runoff and erosion on sloped areas.
8. Require erosion control measures and replanting where necessary to provide stability on areas of steep slope which have been disturbed by road construction or logging.
9. Require reforestation.
10. In addition to the exceptions provided for under the Act, allow harvesting of timber within Shorelines of State-wide Significance, when an act of nature has caused or will cause destruction of the timber in the immediate future.
11. Require that a detailed reclamation plan be submitted as a part of any permit required under the Shoreline Management Act.
12. Require all forest management practices in shorelines of the County be conducted to maintain the State Board of Health standards for public water supplies for those rivers designated for public water supply.
13. Encourage the development of information, techniques and regional rules and regulations regarding forest management practices.
14. Policies relating to timber harvesting apply also to those directly related practices such as road construction and debris removal.

## **COMMERCIAL DEVELOPMENT**

1. Strongly encourage new commercial developments on shorelines to locate in those areas where current commercial uses exist.
2. In order to minimize adverse impact, ensure that adequate assessment be made of and consideration given to, the effect a commercial structure will have on a scenic view significant to a given area or enjoyed by a significant number of people.

3. Require that parking facilities minimize their visual impact on the shorelines, and where possible be placed inland away from the immediate water's edge and recreational beaches.
4. Require commercial developments that abut the water's edge to provide physical and/or visual access to the shoreline where appropriate.
5. Ensure that all commercial development respect natural systems.

## **MARINAS**

1. In the location, design, construction and operation of marinas, special plans should be made to protect the fish and shellfish resources that may be harmed by construction and operation of the facility.
2. Locate and design marinas in a manner that will reduce damage to fish and shellfish resources and be aesthetically compatible with adjacent areas.
3. Identify locations that are near high use or potentially high use areas for proposed marina sites. Local as well as regional "need" data should be considered as input in location selection.
4. Require operating procedures for fuel handling and storage to minimize accidental spillage and provide satisfactory means for handling those spills that do occur.
5. Shallow-water embayments with poor flushing action should not be considered for overnight and long-term moorage facilities.
6. Comply with guidelines prepared by the Washington State Department of Fisheries and other empowered agencies in planning marinas.
7. Enforce fully State and local health agency standards and guidelines for the development of marinas.
8. Encourage provision of multiple use in marina design.
9. Locate marinas where they do not infringe on accretion beaches.

## **MINING**

1. Require that adequate protection against sedimentation, silt production and chemical contamination of public waters be provided.

2. Require mining of sand and gravel and other be done in conformance with the Washington State Mine Surface Land Reclamation Act and the provisions of the Snohomish County Code.
3. Prohibit the commercial removal and strictly control other removal of sand and gravel or other minerals from marine beaches.
4. Regulate the excavation or riverbed materials from within the wetted perimeter.
5. Minimize the adverse visual impact of sand and gravel and other mineral excavation on surrounding shoreline areas.
6. Maintain the integrity of river hydraulic systems when conducting surface mining.
7. Recognize the sensitivity of flood hazard areas when considering sand and gravel and other mineral excavation operations.
8. Prohibit sand and gravel and other mineral excavations which would adversely disrupt agricultural activities or permanently remove prime agricultural lands form production.
9. Require all mineral excavation operations to provide maximum protection for anadromous fisheries resources.
10. Give preference to mining operations which remove the annual accretion of sand and gravel from river gravel bar areas over operations which extract nonrenewable deposits.
11. Encourage the development of mining operations in nonshoreline areas before considering their location in shoreline areas.
12. Ensure that site reclamation plans are compatible with existing and proposed land uses in the immediate vicinity.

## **SIGNS**

1. Prohibit off-premise outdoor advertising signs in all shoreline areas.
2. Establish size, height, density and lighting limitations for signs.
3. Prevent degradation of vistas and viewpoints and impairment of visual access to the water from such vistas by the placement of signs.
4. Require, whenever feasible, that signs be constructed against existing buildings to minimize visual obstructions of the shoreline and water bodies.

## **RESIDENTIAL DEVELOPMENT**

1. Encourage the use of the planned residential development concept in all shoreline subdivisions.
2. Require that subdivisions be designed at a level of density, site coverage, and occupancy compatible with the physical capabilities of the shoreline and waterbody.
3. Require that subdivision be designed so as to adequately protect the water, shoreline aesthetic characteristics, and vistas.
4. Encourage subdividers to provide public pedestrian access to the shorelines within the subdivision.
5. Encourage subdividers to provide all residents within the subdivision with adequate easily accessible and usable access to the water when topographically feasible.
6. Prohibit residential development over water.
7. Require that residential developers indicate how they plan to maintain shoreline stability and control erosion, during and after construction.
8. Require that sewage disposal facilities, as well as water supply facilities, be provided in accordance with appropriate State and local health regulations. Storm drainage facilities must be separate, not combined with sewage disposal systems.
9. Require that adequate water supplies be available so that the groundwater quality and quantity will not be endangered by over-pumping.
10. Do not allow residential development on shorelines which would be dependent on future bulkheading or other shoreline fortification for protection.

## **UTILITIES**

1. Insure that upon completion of utility installation or maintenance projects on shorelines, all areas be restored to pre-project configuration, replanted with native species and, provided with maintenance care until the newly planted vegetation is established.
2. Locate utility trunk lines and facilities outside shoreline areas, to the maximum extent feasible.
3. Locate utility lines and facilities, when they must be placed in a shoreline area, so as not to obstruct or destroy scenic views. Whenever feasible, these facilities should be placed underground, or designed to do minimal damage to the aesthetic qualities of the shoreline area.

4. To the maximum extent feasible, local governments should incorporate major transmission line rights-of-way on shorelines into their program for public access to and along water bodies.
5. Locate utilities to meet the needs of future populations in areas planned to accommodate this growth.
6. Combine utility rights-of-way in shoreline areas to the maximum extent possible.
7. Require that major utility development be consistent with adopted County Comprehensive Plans for utilities, where they exist, for provision of the respective utility service to the County's residents.
8. Locate sewage treatment, water reclamation, desalinization and power plants where they are compatible with other use of the water and shorelines.

### **PORTS AND WATER RELATED INDUSTRY**

1. Industries wishing to locate on the shoreline must be water dependent.
2. Design port facilities to permit viewing of harbor areas from viewpoints, waterfront restaurants and similar public facilities which would not interfere with port operations or endanger public health and safety.
3. Require that waste treatment ponds for water-related industry occupy as little shoreline area as possible, and be placed away from the immediate waters edge and recreational beaches.
4. Encourage the cooperative use of docking, parking, cargo handling and storage facilities in waterfront industrial areas.
5. Require land transportation and utility corridors serving ports and water-related industry to follow the policies provided under the sections of the Master Program dealing with Utilities and Roads and Railroads.
6. Give consideration to State-wide port needs, and coordinate planning with other jurisdictions in the State to avoid wasteful duplication of port services within Puget Sound.
7. Undertake careful planning to reduce the adverse impact of industrial piers and docks on other water-dependent uses and shoreline resources.
8. Require that all port development be consistent with an adopted comprehensive port development plan.

9. When considering port development projects, consider not only their comprehensive plan but also County/City comprehensive plans.

### **BULKHEADS**

1. Locate and construct bulkheads and seawalls in a manner which will not result in adverse effects on nearby beaches and will minimize alterations of the natural shoreline.
2. Locate, design and construct bulkheads and seawalls in such a way as to minimize damage to fish and shellfish habitats.
3. Carefully consider the effect of a proposed bulkhead on public access to publicly owned shorelines.
4. When possible, design bulkheads and seawalls to blend in with the surroundings and to not detract from the aesthetic qualities of the shoreline.
5. Permit the construction of bulkheads only where they provide protection to upland areas or facilities, not for the indirect purpose of creating land by filling behind the bulkhead, except as covered in the use activities pertaining to landfill.
6. Restrict bulkheads on feeder bluffs except where danger to existing development exists.

### **BREAKWATERS**

1. Give preference to floating breakwaters rather than solid landfill or rigid types in order not to inhibit sand movement and aquatic life.
2. Construct solid breakwaters only where design modifications can eliminate potentially significant detrimental effects on the movement of sand and circulation of water.
3. Minimize to the absolute extent feasible, restrictions on the public use of the water surface which might result from breakwater construction.
4. Encourage the multiple use of breakwaters to increase public access to and enjoyment of the shoreline.

### **JETTIES & GROINS**

1. Give careful consideration to the effect of proposed jetties or groins on sand movement; locate and design them to minimize the adverse impact on that sand movement.

2. Give special attention to the effect jetties and groins will have on fish and wildlife propagation and movement.
3. Encourage the multiple use of jetties and groins to increase public access to and enjoyment of the shoreline.
4. Design jetties and groins so they will not detract from the aesthetic quality of the shoreline.

### **LANDFILLS AND SOLID WASTE DISPOSAL**

1. Allow landfills only in those areas designated for such purposes in the Environment Section of the Master Program.
2. Prohibit sanitary landfills or the location of solid waste disposal sites in any shoreline area.
3. Allow landfills in water bodies to facilitate water-dependent uses or to enhance public access to the shoreline.

### **DREDGING**

1. Regulate and control dredging to minimize damage to existing ecological systems and natural resources of both the area to be dredged and the area for deposit of dredged material.
2. Designate and require the use of specified long-range sites for the disposal of spoils and provide for the periodic review of site designations.
3. Identify, with the assistance of the State Departments of Natural Resources, Game and Fisheries, spoil deposit sites in water areas.
4. Allow deposition of dredge materials in water areas except as provided for under Landfills and Solid Waste Disposal only for habitat improvement, to correct problems of material distribution adversely affecting fish and shellfish resources, or where the alternative of depositing materials on land is more detrimental to shoreline resources than depositing it in water areas.
5. Dredging the bottom materials for the single purpose of obtaining fill material should be discouraged.
6. Encourage utilization of spoil transfer sites which can be used on a continuing basis.

7. Approve new dredging projects only when accompanied by an acceptable plan for the long-range disposal of dredge spoils created by the project and its continued maintenance.
8. Provide for a periodic review of existing dredging projects.
9. Prohibit dredging in or the disposal of spoils on archeological sites which are listed on the Washington State Register of Historic Places until such time as they are released.

### **SHORELINE STABILIZATION AND FLOOD PROTECTION**

1. Locate, design and construct riprapping and other bank stabilization or flood protection measures so as to avoid channelization, protect adjacent property from adverse effects and to protect the natural character of the streamway.
2. Place all flood protection measures such as dikes and levees landward of the principal streamway, including associated swamps and marshes directly interrelated and interdependent with the stream proper.
3. Recognize and protect the integrity of a water body's hydraulic system when planning for and designing shoreline stabilization and flood protection measures.

### **ROADS AND RAILROADS**

1. Locate major highways, freeways and railways away from shorelines wherever feasible.
2. Design and maintain roads to minimize erosion and permit a natural movement of groundwater.
3. Insure to the maximum extent practical that all construction debris, overburden and other waste materials shall not enter into any water body by disposal or erosion from drainage, high water or other means.
4. Locate and design all roads and railroads so that minimum alterations of natural conditions will be necessary.
5. Provide safe pedestrian and other nonmotorized travel facilities in all scenic corridors having public roadways.
6. Encourage provision of view points, rest areas and picnic facilities in public shoreline areas.
7. Retain portions of old highways having high aesthetic quality as pleasure bypass routes.

8. Locate major transportation corridors upland from the shoreline to reduce pressures for the use of waterfront sites except when shoreline alternatives are more ecologically acceptable.
9. Promote the use of abandoned railroad rights-of-way for trail systems, especially where they would provide public access to or enjoyment of the shorelines.
10. Locate and design road and railroad bridges to accommodate the existing floodways of streams and rivers.
11. Encourage creation of trail systems adjacent to new roads and railroads where feasible.

### **PIERS**

1. Encourage the use of floating docks in those areas where scenic values are high and where conflicts with recreational boaters and fishermen will not be created.
2. Encourage the use of open-pile piers where there is significant littoral drift and where scenic values will not be impaired.
3. Give priority to the use of community piers and docks in all new major waterfront subdivisions. In general, encouragement should be given to the cooperative use of piers and docks.
4. Recognize and address the problem of the proliferation of single-purpose private piers, and establish criteria for their location, spacing, length and width in the Use Regulations.
5. Carefully consider the capacity of shoreline sites to absorb the impact of waste discharges from boats including gas and oil spillage, when identifying suitable sites for boat docking facilities.
6. Designate areas where pile piers will have priority over floating docks.

### **ARCHEOLOGICAL AREAS AND HISTORIC SITES**

1. Consult with professional archeologists to identify areas containing potentially valuable archeological data, and to establish procedures for salvaging the data.
2. Preserve wherever feasible, sites with high value for scientific study and public observations.
3. Attach a special condition to shoreline permits in areas known to contain archeological data providing for site inspection and evaluation by an archeologist to insure that possible archeological data are property salvaged.

4. Require all shoreline permits to contain a special provision which requires developers to notify local governments if any possible archeological data are uncovered during excavations.
5. Insure that all applicable provisions of the National Historic Preservation Act of 1966 and the State Historic Preservation Act (RCW 43.51) are complied with.

## **RECREATION**

1. Give priority to developments which provide recreational uses and other improvements facilitating public access to shorelines.
2. Prevent concentration of use pressure at a few points by encouraging the development of a combination of area and linear access (parking areas and easements for example), when providing public access to recreational locations such as fishing streams and hunting areas.
3. Strongly encourage the linkage of shoreline parks and public access points through the use of linear access. Many types of connections can be used such as hiking paths, bicycle trails and/or scenic drives.
4. Carefully consider the total effect the development of a recreational site will have on the environmental quality and natural resources of an area.
5. Develop guidelines for the preservation and enhancement of scenic views and vistas.
6. Avoid wasteful use of the limited supply of recreational shoreline areas by locating parking areas inland away from the immediate edge of the water and recreational beaches. Safe access should be provided by walkways or other methods.
7. Prohibit the use of motorized vehicles on beaches, dunes and fragile shoreline resources.
8. Encourage a variety of recreational facilities which will satisfy the diversity of demands from groups in nearby populated centers.
9. Allow intensive recreational developments only where sewage disposal and vector control can be accomplished to meet public health standards without adversely altering the natural features attractive for recreational use.
10. Minimize surface runoff from recreational facilities.

# **Environment Policies**

## URBAN ENVIRONMENT

### **Statement of Intent**

The object of the Urban Environment is to insure optimum utilization of shorelines within urbanized areas by providing for intensive public use and by managing development so that it enhances and maintains shorelines for a multiplicity of urban uses.

### **Designation Criteria**

The Urban Environment is an area of high-intensity land use. This environment does not necessarily include all shorelines within an incorporated city, but is particularly suitable to those areas presently subjected to extremely intensive-use pressure, as well as to areas planned to accommodate urban expansion. Shoreline areas to be designated in the Urban Environment should possess one or more of the following criteria:

1. Areas of high-intensity land use including recreation, residential, public facility, commercial, industrial development and intensive port activities.
2. Areas designated in the adopted plans of public agencies for expansion of urban uses.
3. Areas possessing few biophysical limitations for urban development.
4. Areas which can provide the necessary infrastructure of public services, utilities and access to accommodate urban development.

### **Management Policies**

1. Because shorelines suitable for urban uses are a limited resource, emphasis should be given to directing new development into already developed, but underutilized areas.
2. Give priority in Urban Environments to water dependent, industrial and commercial uses requiring frontage on navigable waters. Uses which are not water dependent should be discouraged.
3. Give priority to planning for and developing public visual and physical access to the shoreline in the Urban Environment.
4. Identify needs and plan for the acquisition of urban land for permanent public access to the water in the Urban Environment.
5. Design industrial and commercial facilities to permit pedestrian waterfront activities where appropriate.
6. Link, where practical, public access points with nonmotorized transportation routes such as bicycle and hiking paths.

7. Encourage maximum multiple use of urban shoreline areas.
8. Promote redevelopment and renewal of substandard or obsolete urban shoreline areas in order to accommodate future water-dependent users and make maximum use of the available shoreline resource.
9. Actively promote aesthetics when considering urban shoreline development by means of sign control regulations, architectural design standards, planned-unit development standards, landscaping requirements and other such means.
10. Regulate all urban shoreline development in order to minimize adverse impact upon adjacent land areas and shoreline environments.

## **SUBURBAN ENVIRONMENT**

### **Statement of Intent**

The objective of designating a Suburban Environment is to protect, maintain and enhance low and medium-density shoreline residential areas. Preservation of the natural and suburban character of shoreline areas placed in this environment is of prime importance.

### **Designation Criteria**

The Suburban Environment should be applied to those shoreline areas which possess or can accommodate extensive amounts of suburban residential developments but are not suitable for most other types of urban uses. Areas to be designated in the Suburban Environment should possess one or more of the following criteria:

1. Areas presently containing extensive amounts of low to medium-density residential development.
2. Areas which could serve as transition zones between urban and rural or urban and conservancy environments.
3. Areas which do not possess the following biophysical limitations:
  - a. Areas of steep slopes presenting erosion and slide hazards;
  - b. Areas prone to flooding including the 100-year flood plain;
  - c. Areas of unstable streambank configuration;
  - d. Areas with soils that have poor drainage or percolation, unless adequate drainage and public sewer facilities are available or can be feasibly provided.
4. Areas which are suitable for low to medium-intensity recreational uses compatible with residential areas.
5. Areas designated in the adopted plans of public agencies for expansion of residential areas.
6. Areas which can provide the necessary infrastructure of public services, utilities and access to accommodate low and medium-density residential development.

### **Management Policies**

1. Maintain and enhance the residential character of Suburban Environments by carefully controlling the type, location, scale and timing of new shoreline development.

2. Restrict Suburban Environments to low to medium-intensity residential and recreational uses.
3. Identify needs and plan for the acquisition of shoreline property for permanent public access to the water in the Suburban Environment.
4. Link, where practical, public access points with nonmotorized transportation routes such as bicycle and hiking paths.
5. Provide incentives and actively promote aesthetic considerations in suburban shoreline development by means of sign control regulations, architectural design standards, planned-unit developments, landscaping requirements and other such means.
6. Limit commercial development in the Suburban Environment to neighborhood oriented businesses.
7. Allow beach enrichment projects when it can be shown that other portions of the shoreline will not be adversely affected.
8. Encourage planned residential solutions for new development.
9. Decrease permitted residential densities of future development as the slope increases to avoid drainage, erosion, slide hazard and accessibility problems.

## RURAL ENVIRONMENT

### **Statement of Intent**

The objective of designating a Rural Environment is to protect agricultural land from urban expansion, restrict intensive development along undeveloped shorelines, function as a buffer between urban areas, and maintain open spaces and opportunities for recreational and other uses compatible with agricultural activities.

### **Designation Criteria**

Areas to be designated in the Rural Environment should possess one or more of the following criteria:

1. Areas characterized by recreational or intensive agricultural uses.
2. Areas possessing high capability to support active agricultural practices or intensive recreational development.
3. Areas modified from their natural vegetative cover and surface drainage patterns but generally having low-density development.
4. Areas where residential development is or should be low density because of physical limitations, utility capabilities, access and compatibility with other uses.
5. Areas designated in officially adopted park and recreation plans for medium to high-intensity recreational use.
6. Areas of undeveloped land not appropriate for natural, conservancy suburban or urban environment designation.
7. Areas which form buffer zones between urban areas.
8. Areas having valuable sand, gravel and mineral deposits.
9. Areas located in the estuarine and pastoral zones, and in certain limited instances the floodway zones of the County's river systems.

### **Management Policies**

1. Protect prime agricultural lands from incompatible and preemptive patterns of development.
2. Restrict intensive development along undeveloped rural environment shorelines.
3. Permit opportunities for recreational uses compatible with agricultural activities.

4. Maintain existing and potential areas having a high capability to support intensive agricultural uses for present and future agricultural needs.
5. Require new developments in Rural Environments to reflect the character of the surrounding area by limiting residential density, providing permanent open space, and by maintaining adequate building setbacks from the water to prevent shoreline resources from being destroyed for other rural types of uses.
6. Permit public and private recreation facilities which can be located and designed to minimize conflicts with agricultural activities. Examples of such facilities include linear water access, trail systems and boat launching sites.
7. Encourage farm management practices which will minimize erosion and the flow of waste material into water courses.
8. Restrict industrial and commercial development in the Rural Environment.
9. Prohibit industrial, commercial and extensive residential development on prime agricultural lands.
10. Restrict the density of residential development in the Rural Environment except in those limited areas which are suitable for recreation home-oriented use.
11. Provide for sand, gravel and mineral extraction in suitable areas which are not designated as prime agricultural land.
12. Allow beach enrichment projects when it can be shown that other portions of the shoreline will not be adversely affected.

## CONSERVANCY ENVIRONMENT

### **Statement of Intent**

The objective in designating a Conservancy Environment is to protect, conserve, enhance and manage existing natural resource areas and valuable historic and cultural areas. This should be done in a manner that will insure recreational benefits to the public, or achieve sustained resource utilization without substantial adverse modification of shorelines or topography.

### **Designation Criteria**

The Conservancy Environment should be applied to those areas which would most benefit the public by having their existing character maintained, but which are able to accept a limited level of development or resource utilization. Areas to be designated in the Conservancy Environment should possess one or more of the following criteria:

1. Areas which could satisfy the present or future recreation needs of the County's residents.
2. Areas possessing biophysical limitations too severe to allow them to develop to the extent provided in the Rural, Urban and Suburban Environments. Such limitations could include:
  - a. Areas of steep slopes, presenting erosion and slide hazards;
  - b. Areas prone to flooding including the 100-year flood plain;
  - c. Areas of unstable streambank configuration;
  - d. Areas with soils that have poor drainage.
3. Areas containing resources which lend themselves to management on a sustained-yield basis.
4. Areas possessing valuable natural resources or features, whose optimum use precludes more than an extremely low-overall density of people, structures or livestock.
5. Areas possessing valuable natural resources or features which would tolerate only minimal changes in topography or the land/water interface.
6. Areas where more intensive development or use would be hazardous to public health and safety, or would result in interference with natural processes causing significant detriment to other resources.
7. Areas possessing aesthetic or recreational qualities of such high local or statewide significance that extensive modification or use would adversely affect such qualities.

8. Areas located in the floodway zones, and in many instances, the boulder zones of the County's river systems.
9. Areas which are free from extensive development, and can serve as needed open space by maintaining their existing character.

### **Management Policies**

1. Give preference to those uses which are nondepleting of the physical and biological resources of the Conservancy Environment.
2. Give priority to activities and uses of a nonpermanent nature which do not substantially degrade the existing character of the Conservancy Environment.
3. Encourage the following types of uses to be predominant in a Conservancy Environment: outdoor recreation activities, timber harvesting on a sustained yield basis, and low-intensity agricultural uses.
4. Maintain the Conservancy Environment by encouraging recreational activities which will not be detrimental to the shoreline character or the forces which created and maintain the shoreline area.
5. Restrict new development to those which are compatible with the natural and biological limitations of the land and water and will not require extensive alteration of the land-water interface.
6. Discourage commercial and industrial uses other than commercial forestry, lumber mills and extraction of renewable sand, gravel and mineral resources.
7. Encourage the sustained yield management of natural resources within Conservancy Environments.
8. Prohibit development which would be hazardous to public health and safety, or which significantly interferes with natural processes.
9. Strictly regulate residential development, to maintain an overall density of less than one dwelling unit per two acres of land.
10. Allow beach enrichment projects when it can be shown that other portions of the shoreline will not be adversely affected.
11. Prohibit development which would strip the shoreline of vegetative cover or cause substantial landslide, erosion, sedimentation or impairment of fish and aquatic life.
12. Minimize the construction of structural flood control works in this environment.

13. Prohibit the construction of flood control works or streambank stabilization projects which would contribute to destructive streamway channelization or substantial modification of existing shoreline character except for streamway rehabilitation projects.
14. Encourage streamway rehabilitation projects which will restore or enhance the natural streamway character.
15. Require that new developments be designed to preclude the need to provide them with structural flood control protection.

## NATURAL ENVIRONMENT

### **Statement of Intent**

The objective in designating a Natural Environment is to preserve or restore to a natural character those resource systems existing relatively free of human influence. Policies to achieve this objective should aim to regulate all potential developments degrading or changing the natural characteristics which make these areas unique and valuable.

### **Designation Criteria**

The primary determinant for designating an area as a Natural Environment is the actual presence of some unique natural features considered valuable in their natural or original condition which are relatively intolerant of intensive human use. The relative value of the resources is to be based on county-wide citizen opinion in the case of shorelines, and the needs and desires of all the State's citizens in the case of shorelines of statewide significance.

Areas to be designated in the Natural Environment should possess one or more of the following criteria:

#### A. General:

1. Areas where human influence and development are minimal.
2. Areas capable of easily being restored to a natural condition.
3. Areas having a high scenic value and a high value for low-intensity recreational use in their natural state.
4. Salt marshes.
5. Class I accretion beaches.
6. Areas designated should be large enough to protect the value of the Natural Environment.

#### B. Wildlife habitats:

1. An area utilized by rare or endangered species\* that provides food, water, cover and/or protection.
2. A significant fish and wildlife habitat for diminishing species.\*
3. A major seasonal haven or constricted migration route for animals or birds.

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\* As listed on the U.S. Department of Interior Register of Diminishing and Endangered Species.

4. Unique wildlife habitat within urbanized areas.
5. Small areas of original habitat remaining within urbanized areas.

C. Scientific value:

1. Areas considered to represent the basic ecosystem and geologic types.
2. Areas representing deviation from the basic ecological and geological norms, but which are of particular scientific interest.
3. Areas which best represent undisturbed natural conditions.
4. Established natural science research areas or areas having a long history of such use.
5. Areas which contain unique and scientifically important features, which are especially amenable to manipulation, which are isolated for hazardous studies, or which contain important rare and/or endangered species.
6. Areas possessing any of the above-mentioned characteristics which are located near major population centers and important educational facilities.

D. Ecological balance:

1. Areas which play an important part in maintaining the ecological balance of the region's basic natural systems.
2. Areas rich in quality, quantity and variety of life forms.
3. Areas important to the maintenance of the natural quality and flow of the water.

**Management Policies**

1. Prohibit development which will degrade the actual or potential value and character of the Natural Environment.
2. Allow only changes which would maintain the existing environment and would not be detrimental to the forces which created and now maintain the shoreline areas.
3. Apply severe restrictions to the intensity and type of uses allowed in order to maintain the natural systems and the resources of the Natural Environment in their natural state.
4. Allow limited access of a compatible nature to those areas in the Natural Environment which have significant recreational value as long as it does not adversely affect the environment.

5. Permit limited access to natural areas for scientific, historical or education purposes as long as there is no substantial alteration of the environment.
6. Prohibit uses or activities requiring permanent installations which would permanently deplete or consume the physical and biological resources found in the Natural Environment.

# Use Activity Regulations

## **AGRICULTURAL PRACTICES**

### **Introduction**

Agricultural practices are those methods used in vegetation and soil management, such as tilling of soil, control of weeds, control of plant diseases and insect pests, soil maintenance and fertilization. Many of these practices require the use of agricultural chemicals, most of which are water soluble and may wash into contiguous land or water areas causing significant alteration and damage to plant and animal habitats, especially those in the fragile shoreline areas. Also, large quantities of mineral and organic sediments enter water bodies through surface erosion when proper land management techniques are not utilized. These policies and regulations are especially important in Snohomish County because agriculture constitutes the primary use of the County's man modified shoreline areas.

### **Policies**

1. Encourage the maintenance of a buffer of permanent vegetation or other soil erosion control measures between tilled areas and associated water bodies which will retard surface runoff and reduce siltation.
2. Comply with control guidelines prepared by the U.S. Environmental Protection Agency and State and local agencies, for regulating the location of confined animal feeding operations, retention and storage ponds for feed lot wastes, and stockpiles of manure solids along the County's shorelines so that water area will not be polluted.
3. Encourage the use of erosion control measures, in conformance with standards established by the Soil Conservation Service, U.S. Department of Agriculture.

### **Regulations**

#### **General**

Buffer zones of permanent vegetation or other suitable soil erosion control methods shall be established and/or maintained between tilled or grazed areas and associated water bodies. The type and extent of buffers or methods shall be determined on a case-by-case basis and shall be of a width and/or character sufficient to retard surface runoff and reduce siltation.

#### **Natural Environment**

Only passive agriculture uses such as pasture and grazing lands shall be permitted in the natural environment PROVIDED that no clearing, construction, or other operations which measurably change the character of the environment occur.

### Conservancy Environment

Agriculture uses shall be permitted in the Conservancy Environment PROVIDED that no construction which substantially changes the character of the environment occurs.

### Rural Environment

Agriculture is permitted in the Rural Environment subject to the General Regulations.

### Suburban Environment

Agriculture is permitted in the Suburban Environment subject to the General Regulations.

### Urban Environment

Agriculture is permitted in Urban Environment subject to the General Regulations.

# AQUACULTURE

## **Introduction**

Aquaculture (popularly known as fish farming) is the culture or farming of food fish, shellfish, or other aquatic plants and animals. Potential locations for aquacultural enterprises are relatively restricted due to specific requirements for water quality, temperature, flows, oxygen content, and, in marine water, salinity. The technology associated with present-day aquaculture is still in its formative stages and experimental. Policies and regulations for aquaculture therefore recognize the necessity for some latitude in the development of this emerging economic water use as well as its potential impact on existing uses and natural systems.

## **Policies**

1. Locate aquaculture enterprises in areas where the navigational access of upland owners and commercial waterborne traffic is not significantly restricted.
2. Consider and minimize the possible detrimental impact aquacultural development might have on view from upland property of the general aesthetic quality of the shoreline area.
3. Encourage development of underwater aquaculture structures which do not interfere with navigation or seriously degrade the aesthetic quality of County shorelines.
4. Consider and minimize the possible detrimental impact aquacultural development might have on agricultural practices, recreation, and other economic activities located on County shorelines.
5. Ecological balance should be considered when introducing non-native fish or shellfish, plant or animal life.

## **Regulations**

### **General**

1. The following aquacultural activities require the issuance of a Shoreline Management Act Substantial Development Permit:
  - a. Construction of facilities;
  - b. Disposal of solid or liquid wastes such as may result from confined rearing operations for salmon or other marine life;
  - c. Construction of dikes or dredging of bottom materials;
  - d. Introduction of non-native species or expansion of the aquacultural enterprise to the degree that they adversely impact the ecological balance of adjacent areas;

- e. Aquacultural practices which materially interfere with the normal public use of the water (unlimited recreational navigation over the water surface shall not be construed as normal public use).
2. The following aquacultural activities do not require a Shoreline Management Act Substantial Development Permit:
    - a. Propagation;
    - b. Harvesting PROVIDED that such harvesting does not result in a significant alteration to the natural ecosystems of the area;
    - c. Cultivation;
    - d. Feeding;
    - e. Maintenance activities;
    - f. Disposal of shells when done to maintain existing beds.
  3. The processing of aquacultural crops, other than on a tending boat or barge, shall be governed by the use regulations for industries.
  4. Areas with either an existing or high potential for aquacultural activities shall be protected from degradation by other types of uses which may locate on the adjacent upland. A conclusive showing that such an adjacent use would result in irreparable damage to, or destruction of, an existing aquacultural enterprise shall be grounds for the denial of such use.
  5. Aquacultural enterprises shall not be located so as to impede or restrict established commercial navigational lanes.
  6. Publicly-owned aquacultural enterprises shall be open to the public to the maximum extent feasible.

#### Natural Environment

1. Aquaculture, not involving the construction of facilities, is permitted in the Natural Environment upon the issuance of a conditional use permit PROVIDED that the natural ecosystems of the environment shall not be significantly altered.
2. Floating aquacultural structures are not permitted.

### Conservancy Environment

1. Aquaculture is permitted in the Conservancy Environment subject to the General Regulations and PROVIDED that the natural ecosystems of the environment shall not be significantly altered.
2. Floating aquacultural structures or other structures extending above the water surface shall not unduly detract from the aesthetic qualities of the surrounding environment.

### Rural Environment

Aquaculture is permitted in the Rural Environment subject to the General Regulations.

### Suburban Environment

1. Aquaculture is permitted in the Suburban Environment only upon the issuance of a conditional use permit.
2. Aquaculture structures shall not detract from the aesthetic qualities of the surrounding environment.

### Urban Environment

Aquaculture is permitted in the Urban Environment subject to the General Regulations.

## **ARCHEOLOGICAL AREAS AND HISTORIC SITES**

### **Introduction**

Archeological areas, ancient villages, military forts, old settlers homes, ghost towns, and trails were often located on shorelines because of the proximity of food resources and because water provided an important means of transportation. These sites are non-renewable resources and many are in danger of being lost through present day changes in land use and urbanization. Because of their rarity and the educational link they provide to our past, these locations should be preserved.

### **Policies**

1. Consult with professional archeologists to identify areas containing potentially valuable archeological data, and to establish procedures for salvaging the data.
2. Preserve wherever feasible, sites with high value for scientific study and public observations.
3. Attach a special condition to shoreline permits in areas known to contain archeological data providing for site inspection and evaluation by an archeologist to insure that possible archeological data are properly salvaged.
4. Require all shoreline permits to contain a special provision which requires developers to notify local governments if any possible archeological data are uncovered during excavations.
5. Insure that all applicable provisions of the National Historic Preservation Act of 1966 and the State Historic Preservation Act (RCW 43.51) are complied with.

### **Regulations**

#### **General**

1. All shoreline permits shall contain a special provision requiring permittees to notify Snohomish County if any possible archeological data are uncovered during excavation or development. Failure to comply with this requirement shall be considered a violation of the Substantial Development Permit and shall subject the permittee to legal action as specified by Title 21, Snohomish County Code.
2. All permits issued for development in areas known to be archeologically significant shall provide for site inspection by a qualified archeologist prior to initiation of any development activity.
3. All developments proposed for location adjacent to historical sites which are registered on the state or national historic register shall be located and designed so as to be complimentary to the historic site. Development which degrades or destroys the historic character of such sites shall not be permitted.

# **BREAKWATERS**

## **Introduction**

Breakwaters are another protective structure usually built offshore to protect beaches, bluffs, dunes or harbor areas from wave action. However, because offshore breakwaters are costly to build, they are seldom constructed to protect the natural features along, but are generally constructed for navigational purposes also. Breakwaters can be either rigid in construction or floating. The rigid breakwaters, which are usually constructed of riprap or rock, have both beneficial and detrimental effects on the shore. All breakwaters eliminate wave action and thus protect the free flow of sand along the coast and starve the downstream beaches. Floating breakwaters do not have the negative effect on sand movement, but cannot withstand extensive wave action and thus are impractical with present construction methods in many areas.

## **Policies**

1. Give preference to floating breakwaters rather than solid landfill or rigid types in order not to inhibit sand movement and aquatic life.
2. Construct solid breakwaters only where design modifications can eliminate potentially significant detrimental effects on the movement of sand and circulation of water.
3. Minimize to the absolute extent feasible, restrictions on the public use of the water surface which might result from breakwater construction.
4. Encourage the multiple use of breakwater in increase public access to and enjoyment of the shoreline.

## **Regulations**

### **General**

1. Applications for breakwaters shall provide (as a minimum) the following information:
  - a. Purpose of breakwater;
  - b. Construction material;
  - c. Method of construction;
  - d. Direction of net longshore drift (when appropriate);
  - e. Direction of prevailing winds and strongest tidal current.
2. Breakwaters shall not impede longshore sand and gravel transport unless such impedance is found to be beneficial.

3. Solid type breakwaters shall be designed to allow pedestrian access on their tops.
4. Breakwaters shall meet or exceed all design requirements of the State Department of Fisheries.

#### Natural Environment

Breakwaters are not permitted in the Natural Environment.

#### Conservancy Environment

1. Floating breakwaters are permitted in the Conservancy Environment when they do not impede sand movement or aquatic life.
2. Solid type breakwaters are permitted in the Conservancy Environment only upon issuance of a conditional use permit.
3. Breakwaters in the Conservancy Environment must be visually compatible with their surroundings.

#### Rural Environment

Breakwaters are allowed in the Rural Environment subject to the General Regulations.

#### Suburban Environment

Breakwaters are allowed in the Suburban Environment subject to the General Regulations.

#### Urban Environment

Breakwaters are allowed in the Urban Environment subject to the General Regulations.

## **BULKHEADS**

### **Introduction**

Bulkheads or seawalls are structures erected parallel to and near the high water mark for the purpose of protecting adjacent uplands from the action of waves or currents. Bulkheads are constructed of steel, timber or concrete piling, and may be either of solid or open-piling construction. For ocean exposed locations, bulkheads do not provide a long lived permanent solution, because eventually a more substantial wall is required as the beach continues to recede and larger waves reach the structure.

White bulkheads and seawalls may protect the uplands, they do not protect the adjacent beaches, and in many cases, are actually detrimental to the beaches by speeding up the erosion of the sand in front of the structures.

The following policies and regulations apply to the construction of bulkheads and seawalls designed to protect the immediate upland area. Proposals for landfill must comply with the policies and regulations for that specific activity.

### **Policies**

1. Locate and construct bulkheads and seawalls in a manner which will not result in adverse effects on nearby beaches and will minimize alterations of the natural shoreline.
2. Locate, design and construct bulkheads and seawalls in such a way as to minimize damage to fish and shellfish habitats.
3. Carefully consider the effect of a proposed bulkhead on public access to publicly owned shorelines.
4. When possible, design bulkheads and seawalls to blend in with the surroundings and to not detract from the aesthetic qualities of the shoreline.
5. Permit the construction of bulkheads only where they provide protection to upland areas or facilities, not for the indirect purpose of creating land by filling behind the bulkhead, except as covered in the use activities pertaining to landfill.
6. Restrict bulkheads on feeder bluffs except where danger to existing development exists.

### **Regulations**

#### **General**

1. Bulkheads shall be allowed only when evidence is presented that one of the following conditions exists:
  - a. Serious erosion is threatening an established use on the subject property;

- b. A bulkhead is necessary to stabilize an existing beach condition;
  - c. A bulkhead is the preferred method of stabilizing a landfill allowed by this program.
2. Bulkheads will not be permitted in conjunction with new projects when other design alternatives, not requiring the use of bulkheads, are available.
  3. Applicants for bulkheads shall include the following (at a minimum):
    - a. Type of construction;
    - b. Elevation of the toe and crest of the bulkhead with respect to water levels;\*
    - c. Purpose of bulkhead;
    - d. Direction of net longshore drift (when appropriate);
    - e. Normal, low and high water elevations (when appropriate).
  4. Bulkheading of marine feeder bluffs shall be prohibited EXCEPT where such bulkheading is necessary to protect existing development.
  5. Bulkheads shall meet or exceed all design requirements of the State Department of Fisheries.

#### Natural Environment

Bulkheads are not permitted in the Natural Environment.

#### Conservancy Environment

1. Bulkheads are not permitted in the Conservancy Environment on lakes and rivers.
2. Bulkheads are permitted in the Conservancy Environment on marine shorelines subject to the General Regulations.

#### Rural Environment

Bulkheads are permitted in the Rural Environment subject to the General Regulations.

#### Suburban Environment

Bulkheads are permitted in the Suburban Environment subject to the General Regulations.

#### Urban Environment

Bulkheads are permitted in the Urban Environment subject to the General Regulations.

## COMMERCIAL DEVELOPMENT

### Introduction

Commercial developments are those uses which are involved in wholesale and retail trade or business activities. Commercial developments range from small businesses within residences, to high-rise office buildings. Commercial developments are intensive users of space because of extensive floor areas and because of facilities, such as parking, necessary to service them.

### Policies

1. Strongly encourage new commercial developments on shorelines to locate in those areas where current commercial uses exist.
2. In order to minimize adverse impact, ensure that adequate assessment be made of and consideration given to, the effect a commercial structure will have on a scenic view significant to a given area or enjoyed by a significant number of people.
3. Require that parking facilities minimize their visual impact on the shorelines, and where possible be placed inland away from the immediate water's edge and recreational beaches.
4. Require commercial developments that abut the water's edge to provide physical and/or visual access to the shoreline where appropriate.
5. Ensure that all commercial development respect natural systems.

### Regulations

#### General

1. Applications for commercial development shall include a detailed statement explaining the nature and intensity of water orientation of the proposed activity. Such statement shall include (at a minimum) the following:
  - a. Nature of the commercial activity;
  - b. Need for shoreline frontage (where appropriate);
  - c. Special considerations being planned to enhance the relationship of the activity to the shoreline;
  - d. Provisions for public visual and/or physical access to the shoreline.
2. All new buildings or new additions to buildings located on land areas adjacent to the actual shoreline shall be designed and constructed in such a manner that each floor

provides the following amounts of horizontal and vertical space open to public access and/or open to vistas of the water body:

First Floor: Twenty percent (20%) of lot width shall be open to public access and vistas to and of the adjacent water body;

All Floors Above First: Twenty-five percent (25%) of lot width shall be kept open for public vistas.

3. Signs associated with commercial developments shall meet the regulations specified under “Signs”.
4. Parking associated with commercial developments shall meet the regulations specified under “Roads and Railroads”.
5. Overwater construction and landfill shall be prohibited except as provided for herein.

#### Natural Environment

Commercial development is prohibited in the Natural Environment.

#### Conservancy Environment

1. Commercial development shall be prohibited on conservancy shorelines EXCEPT for those low intensity recreational developments which do not substantially change the character of the Conservancy Environment.
2. Any commercial structure, except one which requires or is dependent on direct, contiguous access to the water, shall be set back from the ordinary high water mark by a minimum of 100 feet.

#### Rural Environment

1. Commercial development or activity shall be prohibited on rural shorelines EXCEPT for those developments or activities which do not substantially change the character of that environment. Such developments may include: restaurants, campgrounds, group camps, and similar recreational facilities; craft or antique stores and the like; hunting and fishing and other private club structures; game preserves and private parks; and commercial uses in restoration of historical structures.
2. Any commercial structure or facility, except one which requires or is dependent on direct, contiguous access to the water, shall be set back from the ordinary high water mark by a minimum of fifty (50) feet.

### Suburban Environment

1. Commercial development shall be prohibited within the Suburban Environment EXCEPT those developments which are of a neighborhood-serving orientation. Such developments may include: restaurants, neighborhood retail stores, and grocery stores.
2. Any commercial structure or facility, except one which requires or is dependent on direct, contiguous access to the water, shall be set back from the ordinary high water mark by a minimum of fifty (50) feet.

### Urban Environment

1. Any commercial structure or facility, except one which requires or is dependent on direct, contiguous access to the water, shall be set back from the ordinary high water mark by a minimum of ten (10) feet.
2. Commercial development may be located on landfill or over water PROVIDED that such development must require or be dependent on direct, contiguous access to the water or must provide substantial numbers of the public the opportunity to physically or visually enjoy the shoreline.

## **DREDGING**

### **Introduction**

Dredging is the removal of earth from the bottom of a stream, river, lake, bay or other water body for the purposes of deepening a navigational channel or to obtain use of the bottom materials for landfill. A significant portion of all dredged materials are deposited either in the water or immediately adjacent to it, often resulting in problems of water quality. Proper disposal of dredge spoils within the Snohomish River Estuary has been a growing problem in the last few years and the need has developed to establish suitable long term dredge spoil disposal sites in this area.

### **Policies**

1. Regulate and control dredging to minimize damage to existing ecological systems and natural resources of both the area to be dredged and the area for deposit of dredged materials.
2. Designate and require the use of specified long-range sites for the disposal of spoils and provide for the periodic review of site designations.
3. Identify, with the assistance of the State Departments of Natural Resources, Game and Fisheries, spoil deposit sites in water areas.
4. Allow deposition of dredge materials in water areas except as provided for under Landfills and Solid Waste Disposal only for habitat improvement, to correct problems of material distribution adversely affecting fish and shellfish resources, or where the alternative of depositing materials on land is more detrimental to shoreline resources than depositing it in water areas.
5. Dredging of bottom materials for the single purpose of obtaining fill material should be discouraged.
6. Encourage utilization of spoil transfer sites which can be used on a continuing basis.
7. Approve new dredging projects only when accompanied by an acceptable plan for the long-range disposal of dredge spoils created by the project and its continued maintenance.
8. Provide for a periodic review of existing dredging projects.
9. Prohibit dredging in or the disposal of spoils on archeological sites which are listed on the Washington State Register of Historic Places until such time as they are released.

## **Regulations**

### **General**

1. Applications for dredging permits shall include the following information (at a minimum):
  - a. Physical analysis of material to be dredged: material composition and amount, grain size, organic materials present, source of material, etc.;
  - b. Chemical analysis of material to be dredged: volatile solids, chemical oxygen demand, (COD), grease and oil content, mercury, lead and zinc content, etc.;
  - c. Biological analysis of material to be dredged;
  - d. Information on stability of bedlands adjacent to proposed dredging and spoils disposal;
  - e. Dredging procedure: time of dredging, method of dredging and spoils disposal;
  - f. Spoils disposal area: location, size, capacity, and physical characteristics.
2. New dredging project shall, in addition to the above, provide all of the following information with their application:
  - a. Total initial spoils volume;
  - b. Frequency and quantity of project maintenance dredging;
  - c. Area proposed for initial spoils disposal;
  - d. Plan for disposal of maintenance spoils for at least a 50 year period.
3. Spoils transfer sites shall be managed to meet the conditions of 5a through 5g above and the following:
  - a. Within the established area and height limitations (and when not in conflict with other provisions of this permit), spoils may be deposited and removed from the site as necessary or desirable during the period of this permit;
  - b. Removal of spoils materials from the site shall not be done in a manner that would disturb the perimeter dike except at points of ingress and egress;
  - c. Trees such as shore pine, poplar (quaking aspen), and birch shall be planted within six (6) months of the issuance of the permit and maintained around the perimeter of the site to act as a visual buffer for the site. Such planting shall typically be naturalized clusters of evergreen trees on a triangular spacing of 15

feet on center and/or deciduous trees planted in naturalized clusters. A planting plan, reflecting the above minimum conditions, shall be submitted for review to the Snohomish County Planning Department within three (3) months of the issuance of this permit.

4. Dredge spoils may be utilized in beach enrichment projects provided that the spoils would result in a benefit to the beach disposal area and that water quality would not be subject to a significant adverse effect.

#### Natural Environment

Dredging and dredge spoil deposition are not allowed in the Natural Environment.

#### Conservancy Environment

1. Dredging within the conservancy environment shall be limited to the maintenance of existing navigation channels and facilities.
2. Dredge spoils shall not be disposed of within the Conservancy Environment, EXCEPT that dredge spoil deposition at designated Department of Natural Resources underwater sites is allowed.

#### Rural Environment

1. Dredging in the Rural Environment is permitted subject to the General Regulations.
2. Applications for spoil disposal areas must show that ultimate use of the site will be for a use permitted within the Rural Environment.

#### Suburban Environment

Dredging and dredge spoil disposal shall be allowed in the Suburban Environment subject to the General and Rural Environment Regulations.

#### Urban Environment

Dredging and dredge spoil disposal shall be allowed in the Urban Environment subject to the General Regulations.

## FOREST MANAGEMENT PRACTICES

### **Introduction**

Forest management practices are those methods used for the protection, production and harvesting of timber. Trees along a body of water provide shade which insulate the waters from detrimental temperature change and dissolved oxygen release. A stable water temperature and dissolved oxygen level provide a healthy environment for fish and other more delicate forms of aquatic life. Poor logging practices on shorelines alter this balance as well as result in slash and debris accumulation and may increase the suspended sediment load and the turbidity of the water. Enforcement of effective forest management practices is of high importance within Snohomish County because commercial forestry constitutes the greatest single use of County shoreline areas.

### **Policies**

1. Require forest land owners to conduct harvesting practices, including road construction and debris disposal, so as to minimize visual impact on views and viewpoints in shoreline areas of the County.
2. Require that logging within all shoreline areas be conducted to ensure adequate protection to fish populations, water quality and stream banks.
3. Ensure that timber harvesting on shorelines of state-wide significance does not exceed the limitations established in RCW 90.58.150.
4. Require proper road, bridge and drainage design, location, construction and maintenance practices to prevent development which would adversely affect shoreline resources.
5. Require that all forest management practices in shorelines of the County be conducted to maintain the applicable State Water Quality Standards currently in effect.
6. Require that logging and thinning operations be so conducted to prevent the accumulation of slash and other debris in waterways of shorelines of the County.
7. Ensure that adequate measures are taken in the process of timber harvesting to prevent substantial sediment, runoff and erosion on sloped areas.
8. Require erosion control measures and replanting where necessary to provide stability on areas of steep slope which have been disturbed by road construction or logging.
9. Require reforestation.
10. In addition to the exceptions provided for under the Act, allow harvesting of timber within shorelines of state-wide significance when an act of nature has caused or will cause destruction of the timber in the immediate future.

11. Require that a detailed reclamation plan be submitted as part of any permit required under the Shoreline Management Act.
12. Require all forest management practices in shorelines of the County be conducted to maintain the State Board of Health standards for public water supplies for those rivers designated for public water supply.
13. Encourage the development of information, techniques and regional rules and regulations regarding forest management practices.
14. Policies relating to timber harvesting apply also to those directly related practices such as road construction and debris removal.

## **Regulations**

### General

1. The following regulations on forest management practices shall constitute interim regulations to be superseded by the appropriate regulations developed under the Forest Practices Act of 1974 PROVIDED that where such regulations do not address a subject covered by these regulations, these regulations shall remain in force.
2. Applications for permits shall demonstrate compliance with these regulations and shall include a reclamation plan for the area of operations.

### Road Systems

3. Roads shall be located on stable soils and constructed in such a manner as to minimize the risk of material entering waterways:
  - a. Roads shall be fitted to the topography so that a minimum alteration of natural features will be necessary;
  - b. Avoid steep, narrow canyons; slide areas; slumps, marshes; wet meadows; or natural drainage channels. Utilize all available topographic surveys, soils and geologic data to assist in selecting locations which avoid steep and/or unstable areas;
  - c. Where possible, locate roads far enough away from waterways to leave buffer zones;
  - d. Minimize the number of waterway crossings and avoid unnecessary duplication of road systems by making use of existing roads where practical. Where roads traverse land in another ownership, but still adequately serve the operation, attempt to negotiate with the owner for use before restoring to location of new roads;

4. Roads shall be designed so as to:
  - a. Balance cuts and fills or provide waste and borrow areas which minimize damage to soil and water;
  - b. Roads and waterway crossings shall be no wider than necessary to accommodate the anticipated use;
  - c. Cut and fill slopes shall be designed at the normal angle of repose or less;
  - d. Specifications for bridges, culverts, and other waterway crossing devices shall take into account flood frequency and flood debris hazards. No such structure shall be constructed which encroaches on the stream channel or which would serve to back up flood waters;
  - e. Drain roads by outsloping, crowning, water-bars, and through grade changes wherever possible;
  - f. Road drainage (whether from culverts, cross drainage or ditches) shall be directed onto the forest floor, preferably on benches so that sediment can settle out before drainage water reaches any waterway;
  - g. In order to reduce fish passage problems and pipe abrasion, bridges or “true arch” (bottomless) culverts shall be utilized on steep slopes. Orient crossings with natural waterways and extend them beyond the fill slopes.
  
5. Roads shall be constructed in such a manner as to prevent the entry of construction or waste material to waterways:
  - a. Excess material shall be deposited in stable locations outside the hydraulic floodway;
  - b. Drainage ways shall be cleared of all debris generated during road construction and/or maintenance which potentially interferes with drainage or water quality;
  - c. Where roadside material is potentially unstable or erodable, it shall be stabilized by seeding, compacting, riprapping, benching, or other suitable means;
  - d. In the construction of road fills, properly compact the material to reduce the entry of water and to minimize the settling of fill material;
  - e. Waterway crossings either temporary or permanent shall be constructed to result in minimum disturbance to banks and existing channels. Remove temporary crossings and abutment fills promptly after use, where applicable. Abandoned road ends shall be water barred;

- f. Activity in waterways shall only be permitted in compliance with state hydraulics permits (normally restricted to summer seasons);
- g. Drainage structures shall be installed as soon as feasible during the pioneer stage of road construction. Uncompleted road grades subject to washing before grading shall be adequately cross-drained.
- h. Road and bridge construction shall be carried out in that time of year which will prevent serious soil erosion or, when this is not practical, measures to prevent erosion shall be taken;
- i. Quarry drainage shall provide for adequate protection against sediment entering into the waterways;
- j. Road rock and gravel shall be obtained from dry quarries wherever possible. Use of gravels from waterways shall be discouraged.

### Timber Harvesting

- 6. The size, shape and location of logging areas shall be based on an analysis of such things as topography, timber type, forest regeneration, logging economics, fire control, wildlife production, soil protection, property lines; aesthetic appeal and water quality maintenance:
  - a. Landings within designated wetlands shall be avoided whenever possible. When necessary within these wetlands, landings shall be located of firm ground above the high water level of any waterway; unstable areas or excessive excavation shall be avoided;
  - b. The operator must provide for soil stabilization and water quality maintenance by vegetation along waterways by one or more of the following:
    - i. Leave non-merchantable or low value trees, shrubs, grasses, rocks, wherever they afford shade over a waterway or maintain the integrity of the soil near such a waterway;
    - ii. Where sufficient non-merchantable tree species exist to maintain an effective buffer zone, a fringe of undisturbed merchantable trees may be required. This requirement may be waived if an acceptable harvest plan, such as staggered cuttings, or other means is developed which will not result in a significant decrease of water quality or remove a substantial amount of cover necessary for wildlife;
- 7. Falling and bucking of logs shall be conducted so as to prevent soil disturbance and other water quality hazards along skid trails, or landings, and over the watershed in general:

- a. Trees shall be felled, bucked and limbed so that the tree or any part thereof, will not fall into or across any waterway;
  - b. If debris should enter the waterway(s) as a result of this project, such debris shall be removed concurrently with the yarding operation and before removal of equipment from the project site. Removal of debris shall be accomplished in such a manner that natural stream bed conditions and stream bank vegetation are disturbed as little as possible.
8. Clean-up measures at the logging site shall be conducted as an integral part of the logging operation:
- a. Waste resulting from logging operations, such as crankcase oil, filters, grease and oil containers, machine parts, old wire rope and used tractor tracks, shall be disposed of immediately following termination of harvesting operations. At no time shall such materials be placed in waterways;
  - b. Drainage on landings shall be re-established after use to insure against future soil movement;
  - c. Potentially unstable or erodable exposed soils shall be stabilized by seeding with grass species or other suitable means. Consideration shall be given to game forage plants suitable to the area.

#### Slash Disposal

9. Streamside buffer strips shall be protected from fire damage where slash is disposed of by burning.

#### Reforestation

10. All clearcut areas shall be planted or seeded within eighteen months of logging to produce at least 500 seedlings per acres.
11. If necessary, additional planting or seeding shall be performed annually until at least 500 seedlings per acres have been established.

#### Natural Environment

In instances where timber harvesting in the Natural Environment is permitted, monetary value shall not be used to justify the timber harvesting.

#### Conservancy Environment

Forest Management Practices shall be permitted in the Conservancy Environment subject to the General Regulations.

### Rural Environment

Forest Management Practices shall be permitted in the Rural Environment subject to the General Regulations.

### Suburban Environment

Forest Management Practices are permitted in the Suburban Environment only upon the issuance of a conditional use permit.

### Urban Environment

Forest Management Practices are permitted in the Urban Environment only upon the issuance of a conditional use permit.

## **JETTIES AND GROINS**

### **Introduction**

Jetties and groins are structures designed to modify or control sand movement. A jetty is generally employed at inlets for the purpose of navigation improvements. When sand being transported along the shoreline by waves and currents arrives at an inlet, it flows inward on the flood tide to form an inner bar, and outward on ebb tide to form an outer bar. Both formations are harmful to navigation through the inlet.

A jetty is usually constructed of steel, concrete or rock. The type depends on foundation conditions and wave, climate and economic considerations. To be of maximum aid in maintaining the navigation channel, the jetty must be high enough to completely obstruct the sand stream. The adverse effect of a jetty is that sand is impounded at the updrift jetty and the supply of sand to the shore downdrift from the inlet is reduced, thus causing erosion.

Groins are barrier-type structures extending from the backshore seaward across the beach. The basic purpose of a groin is to interrupt the sand movement along a shore.

Groins can be constructed in many ways using timber, steel, concrete or rock, but can be classified into basic physical categories as high or low, long or short, and permeable or impermeable.

Trapping of sand by a groin is done at the expense of the adjacent downdrift shore, unless the groin system is filled with sand to its entrapment capacity.

### **Policies**

1. Give careful consideration to the effect of proposed jetties or groins on sand movement; locate and design them to minimize the adverse impact on that sand movement.
2. Give special attention to the effect jetties and groins will have on fish and wildlife propagation and movement.
3. Encourage the multiple use of jetties and groins to increase public access to and enjoyment of the shoreline.
4. Design jetties and groins so they will not detract from the aesthetic quality of the shoreline.

### **Regulations**

#### **General**

1. Jetties and groins shall be prohibited which result in a net adverse effect on all adjacent beaches UNLESS enforceable provisions are made to artificially feed such beaches.

2. Jetties and groins shall be permitted only for improvement to commercial navigation or to artificially create a beach where none exists.
3. Applications for jetties shall include the following (at a minimum):
  - a. Reason for project;
  - b. Type of construction;
  - c. Method of construction;
  - d. Direction of net longshore drift;
  - e. Beach feeding procedures (where appropriate).
4. Applications for groins shall include the following (at a minimum):
  - a. Reason for project;
  - b. Type of construction;
  - c. Method of construction;
  - d. Source and destination of material proposed to be trapped by the groin(s);
  - e. Beach feeding procedures (where appropriate).
5. Jetties and groins shall be designed to be visually compatible with their surroundings.
6. Wherever factors of safety would not prevent such, provision shall be made for pedestrian access on the top of jetties and groins.

#### Natural Environment

Jetties and groins are not allowed in the Natural Environment.

#### Conservancy Environment

1. Jetties are not allowed in the Conservancy Environment.
2. Groins are allowed in the Conservancy Environment only for the purpose of creating a beach where none presently exists and only when such groin placement will not interrupt natural sand movement.

### Rural Environment

Jetties and groins are allowed in the Rural Environment subject to the General Regulations.

### Suburban Environment

Jetties and groins are allowed in the Suburban Environment subject to the General Regulations.

### Urban Environment

Jetties and groins are allowed in the Urban Environment subject to the General Regulations.

## LANDFILL AND SOLID WASTE DISPOSAL

### **Introduction**

Landfill is the creation of dry upland area by the filling or depositing of sand, soil or gravel into a wetland area. Landfills also occur to replace shoreland areas removed by wave action or the normal erosive processes of nature. However, most landfills destroy the natural character of land, create unnatural heavy erosion and silting problems and diminish the existing water surface.

Generally, all solid waste is a possible source of much nuisance. Rapid, safe and nuisance-free storage, collection, transportation and disposal are of vital concern to all persons and communities. If the disposal of solid waste material is not carefully planned and regulated, it can become not only a nuisance but a severe threat to the health and safety of human beings, livestock, wildlife and other biota.

### **Policies**

1. Allow landfills only in those areas designated for such purposes in the Environment Section of the Master Program.
2. Prohibit sanitary landfills or the location of solid waste disposal sites in any shoreline area.
3. Allow landfills in water bodies to facilitate water-dependent uses or to enhance public access to the shoreline.

### **Regulations**

#### **General**

1. Sanitary landfills or the location of solid waste disposal sites within any area subject to the jurisdiction of the Shoreline Management Act is strictly prohibited.
2. Landfills shall be permitted only when used as preparation for an activity otherwise permitted by this program for the Environment in which it is located. Such landfills shall also be subject to the regulations for the proposed use.
3. The perimeter of all landfills shall be provided with some means to control erosion, such as vegetation, retaining walls, or other mechanisms.

#### **Natural Environment**

Landfills are not permitted in the Natural Environment.

### Conservancy Environment

1. Landfills shall not be permitted in the Conservancy Environment for the purpose of creating new land area.
2. Landfills on lakes and rivers shall not be permitted in the Conservancy Environment.
3. Retaining walls may not be utilized to control erosion from landfills in the Conservancy Environment.

### Rural Environment

1. Landfills within any 100-year floodplain of a river shall be allowed in the Rural Environment solely for the purpose of floodproofing a structure and shall be subject to the limitations of the National Flood Insurance Act.
2. Landfills shall not be permitted in the Rural Environment for the purpose of creating new land area.
3. Landfills within a river channel shall not be permitted.

### Suburban Environment

Landfills below the ordinary high water mark shall not be permitted within the Suburban Environment.

### Urban Environment

Landfills are permitted in the Urban Environment subject to the General Regulations.

# MARINAS

## **Introduction**

Marinas are facilities which provide boat launching, storage, supplies and services for small pleasure craft. There are two basic types of marinas: the open-type construction (floating breakwater and/or open-pile work) and solid-type construction (bulkhead and/or landfill). Depending upon the type of construction, marinas affect fish and shellfish habitats.

## **Policies**

1. In the location, design, construction and operation of marinas, special plans should be made to protect the fish and shellfish resources that may be harmed by construction and operation of the facility.
2. Locate and design marinas in a manner that will reduce damage to fish and shellfish resources and be aesthetically compatible with adjacent areas.
3. Identify locations that are near high use or potentially high use areas for proposed marina sites. Local as well as regional “need” data should be considered as input in location selection.
4. Require operating procedures for fuel handling and storage to minimize accidental spillage and provide satisfactory means for handling those spills that do occur.
5. Shallow-water embayments with poor flushing action should not be considered for overnight and long-term moorage facilities.
6. Comply with guidelines prepared by the Washington State Department of Fisheries and other empowered agencies in planning marinas.
7. Enforce fully State and local health agency standards and guidelines for the development of marinas.
8. Encourage provision of multiple use in marina design.
9. Locate marinas where they do not infringe on accretion beaches.

## **Regulations**

### **General**

1. Marinas shall be encouraged to make use of the natural site configuration to the greatest extent possible.

2. Landfill, when utilized, shall be only for necessary water dependent portions of the marina facility and not for parking, unless no alternatives exist and such fill would be consistent with this program and the public interest.
3. Marinas shall provide dry storage berths for small boats in a number at least equal to wet storage berths so as to reduce water area occupied by boat storage.
4. Marinas shall provide for at least one method of boat launching as an integral part of the facility.
5. All marinas shall have facilities for handling all types of boat wastes generated at the marina.
6. Oil and gas handling systems shall be designed to minimize potential oil and gas spills.
7. Surface runoff shall be controlled to prevent erosion and water pollution.
8. All marinas shall include landscaping pursuant to a landscaping plan to be submitted and approved as a part of the Substantial Development Permit process.
9. All marinas shall meet criteria suggested by the State Department of Fisheries relative to disruption of currents, restriction of tidal prisms, flushing characteristics, and fish passage.

#### Marine Waterfront Facilities

10. No marina or boat launching facility shall be built on any Class I beach, as defined in the Snohomish County Inventory Summary.
11. No marina shall be built within ½ mile of any outfall of primary treated domestic or industrial sewage or waste.
12. Marinas involving fill of wetland areas shall be located in conjunction with designated spoil disposal areas and shall not fill wetlands for the sole purpose of marina construction.
13. Shore breakwaters, when used, shall be so constructed that public access along the top of the breakwater is possible and encouraged.
14. When located in designated port areas, marinas shall not extend seaward of the pierhead line.
15. When located in other than designated port areas, marinas shall be so designed and constructed that littoral drift shall not be detrimentally affected.

### Lakeside Marinas

16. No lakeside marina shall extend into the lake beyond the average of all existing private and public docks within 300 feet of the proposed facility.
17. Marinas shall not dump any waste, treated or untreated, into the body of water on which they are located.
18. Marinas shall be designed to blend visually with all surrounding land uses.

### Riverfront Marinas

19. No marina shall be located closer than ½ mile downstream from any outfall of primary treated domestic or industrial waste or sewage.
20. Marinas located in floodplains shall have all berths so designed that they can rise and fall safely with flood waters.
21. No marina shall extend into the river in such a manner as to impede any navigation or create any navigation hazard.
22. Marinas shall not deflect river currents such that adverse impacts would occur on downstream properties.

### Natural Environment

Marinas and boat launching facilities are prohibited in the Natural Environment.

### Conservancy Environment

1. Marinas are prohibited in the Conservancy Environment on lakes and rivers; boat launching facilities are a conditional use in such areas.
2. Marinas and boat launching facilities are a conditional use in the Conservancy Environment on marine waterfront.
3. Parking for boat launching facilities must be located at least 50 feet from the shoreline. Perimeters of parking areas must be landscaped, preferably with appropriate native vegetation, so as to be not visible from the water. The permit application must identify where landscaping is to be placed and of what it will consist. Landscaping shall be installed within one (1) year of commencement of construction.
4. Structures for accessory uses which are not strictly shoreline dependent shall not be located over water.

### Rural Environment

1. Parking for boat launching facilities must be located at least 25 feet from the shoreline. Perimeters of parking areas must be landscaped, preferably with appropriate native vegetation, as to be not visible from the water. The permit application must identify where landscaping is to be placed and of what it will consist. Landscaping shall be installed within one (1) year of commencement of construction.
2. Structures for accessory uses which are not strictly shoreline dependent shall not be located over water.

### Suburban Environment

Marinas and boat launching facilities are permitted in the Suburban Environment upon the issuance of a conditional use permit.

### Urban Environment

Perimeters of parking areas must be landscaped, preferably with appropriate native vegetation, so as to be not visible from the water. The permit application must identify where landscaping is to be placed and of what it will consist. Landscaping shall be installed within one (1) year of commencement of construction.

# MINING

## **Introduction**

Mining is the removal of naturally occurring materials from the earth for economic use. The removal of sand and gravel from shoreline areas of Washington usually results in erosion of land and silting of water. These operations can create silt and kill bottom-living animals. The removal of sand from marine beaches can deplete a limited resource which may not be restored through natural processes.

## **Policies**

1. Require that adequate protection against sedimentation, silt production and chemical contamination of public water be provided.
2. Require mining of sand and gravel and other be done in conformance with the Washington State Mine Surface Land Reclamation Act and the provisions of the Snohomish County Code.
3. Prohibit the commercial removal and strictly control other removal of sand and gravel or other minerals from marine beaches.
4. Regulate the excavation of riverbed materials from within the wetted perimeter.
5. Minimize the adverse visual impact of sand and gravel and other mineral excavation on surrounding shoreline areas.
6. Maintain the integrity of river hydraulic systems when conducting surface mining.
7. Recognize the sensitivity of flood hazard areas when considering sand and gravel and other mineral excavation operations.
8. Prohibit sand and gravel and other mineral excavations which would adversely disrupt agricultural activities or permanently remove prime agricultural lands from production.
9. Require all mineral excavation operations to provide maximum protection for anadromous fisheries resources.
10. Give preference to mining operations which remove the annual accretion of sand and gravel from river gravel bar areas over operations which extract nonrenewable deposits.
11. Encourage the development of mining operations in nonshoreline areas before considering their location in shoreline areas.
12. Ensure that site reclamation plans are compatible with existing and proposed land uses in the immediate vicinity.

## **Regulations**

### **General**

1. Applications for mining permits shall be accompanied by a report on the geologic makeup of the site, prepared by a competent professional geologist, addressing the following (at a minimum):
  - a. Type of material(s) present on the site;
  - b. Quantity of material(s) (by type);
  - c. Quality of material(s) (by type);
  - d. Lateral extent of mineral deposit;
  - e. Depth of mineral deposit;
  - f. Depth of overburden;
2. Excavation of sand, gravel & other minerals by the open pit method (which term shall not include the scalping of streamway bars) shall not be allowed within the designated hydraulic floodway;
3. Excavation of sand, gravel and other minerals shall be done in strict conformance to the Washington State Mine Surface Reclamation Act (RCW 78.44) and the provisions of the Snohomish County Code;
4. A reclamation plan shall be submitted with each application. Such plan shall provide for reclamation of the site into a use which is permitted by this program for the site and shall indicate the time period over which excavation shall continue;
5. Topsoil overburden having value for agriculture or other beneficial uses shall not be disposed in a manner which precludes future utilization or impairs its value;
6. Mining of marine and lake beaches, including but not limited to sand, gravel, cobbles, boulders, or quarry rock from any marine or lake beach for purposes of sale or use in manufacturing products, or for any other commercial or industrial purpose, is prohibited;
7. Non-commercial mining of sand and gravel on marine beaches or in river beds shall be strongly discouraged and shall be prohibited if necessary to preserve natural wildlife habitats and natural processes such as dune systems, littoral drift, erosion, accretion, and depletion.

8. Mining in or under Snohomish County waters shall be undertaken only when it does not conflict with fish migration and spawning cycles, create uncontrollable turbidity, nor result in a change in the riverbed profile.
9. Should substantial evidence be submitted to Snohomish County indicating that the continuance of any project in the current manner is detrimental to the proper functioning of the subject river, this permit shall be reviewed by the granting authority to determine if further conditions should be imposed or if the permit should be terminated.

#### Natural Environment

Mining is not allowed in the Natural Environment.

#### Conservancy Environment

1. Open pit type mining is not allowed in the Conservancy Environment.
2. Scalping of streamway bars is a conditional use in the Conservancy Environment.
3. There shall be no processing of minerals at the bar removal sites; all processing shall be done at the plant site or at some other approved site within the County.

#### Rural Environment

A 50-foot buffer of undisturbed soil and vegetation shall be maintained between mining sites, including all accessory developments, and other properties not used for mining and abutting bodies of water or natural wetlands; provided that, the water body buffer requirement may be waived for approved streamway bar scalping operations.

#### Suburban Environment

Mining is not allowed in the Suburban Environment.

#### Urban Environment

Mining is allowed in the Urban Environment subject to the General Regulations.

## **PIERS**

### **Introduction**

A pier or dock is a structure built over or floating upon the water, used as a landing place for marine transport or for recreational purposes. While floating docks generally create less of a visual impact than those on piling, they constitute an impediment to boat traffic and shoreline trolling. Floating docks can also alter beach sand patterns in areas where tides and littoral drift are significant. On lakes, a proliferation of piers along the shore can have the effect of substantially reducing the usable water surface.

### **Policies**

1. Encourage the use of floating docks in those areas where scenic values are high and where conflicts with recreational boaters and fishermen will not be created.
2. Encourage the use of open-pile piers where there is significant littoral drift and where scenic values will not be impaired.
3. Give priority to the use of community piers and docks in all new major waterfront subdivisions. In general, encouragement should be given to the cooperative use of piers and docks.
4. Recognize and address the problem of the proliferation of single-purpose private piers, and establish criteria for their location, spacing, length and width in the Use Regulations.
5. Carefully consider the capacity of shoreline sites to absorb the impact of waste discharges from boats including gas and oil spillage, when identifying suitable sites for boat docking facilities.
6. Designate areas where pile piers will have priority over floating docks.

### **Regulations**

#### **General**

1. Non-commercial piers shall be regulated as to size by Section 18.18.020 (16) of the Snohomish County Zoning Code.
2. A single, joint-use moorage facility shall be required of all new subdivisions, motels, and multi-family residences.
3. Joint-use piers shall be preferred for commercial and industrial enterprises in close proximity to each other.

4. Moorage buoys shall be preferred over piers on all tidal water, EXCEPT for port, industrial and commercial developments in the Urban Environment.

#### Natural Environment

Piers and other permanent moorages shall not be permitted in the Natural Environment. Floating walkways or other similar over water pedestrian structures facilitating access to observation point or viewing areas shall be permitted providing they are constructed to minimize alteration of natural conditions.

#### Conservancy Environment

Piers shall be permitted in the Conservancy Environment of lakes and rivers only as a conditional use.

#### Rural Environment

Piers shall be allowed in the Rural Environment subject to the General Regulations.

#### Suburban Environment

Piers shall be allowed in the Suburban Environment subject to the General Regulations.

#### Urban Environment

Piers shall be allowed in the Urban Environment subject to the General Regulations.

## **PORTS AND WATER-RELATED INDUSTRY**

### **Introduction**

Ports are centers for water-borne traffic and as such have become gravitational points for industrial/manufacturing firms. Heavy industry may not specifically require a waterfront location, but is attracted to port areas because of the variety of transportation available.

### **Policies**

1. Industries wishing to locate on the shoreline must be water dependent.
2. Design port facilities to permit viewing of harbor areas from viewpoints, waterfront restaurants and similar public facilities which would not interfere with port operations or endanger public health and safety.
3. Require that waste treatment ponds for water-related industry occupy as little shoreline area as possible, and be placed away from the immediate waters edge and recreational beaches.
4. Encourage the cooperative use of docking, parking, cargo handling and storage facilities in waterfront industrial areas.
5. Require land transportation and utility corridors serving ports and water-related industry to follow the policies provided under the sections of the Master Program dealing with Utilities and Roads and Railroads.
6. Give consideration to State-wide port needs, and coordinate planning with other jurisdictions in the State to avoid wasteful duplication of port services within Puget Sound.
7. Undertake careful planning to reduce the adverse impact of industrial piers and docks on other water-dependent uses and shoreline resources.
8. Require that all port development be consistent with an adopted comprehensive port development plan.
9. When considering port development projects, consider not only their comprehensive plan but also County/City comprehensive plans.

## **Regulations**

### **General**

1. Industries wishing to locate within 200 feet of the shoreline must be water dependent. Failure to show compliance with this regulation shall be sufficient grounds for permit denial.
2. Utilities, roads and regulations, piers, and parking areas shall comply with the regulations for each such activity.

### **Ports**

3. Proposed port developments, expansions, alterations, or any phase thereof shall be consistent with, and shall be based upon, an officially adopted comprehensive port development plan. Failure to show compliance with this regulation shall be sufficient grounds for permit denial.
4. Opportunities for public visual and/or physical access to port activity areas shall be maximized; PROVIDED that, such access would not interfere with port operations or endanger public health and safety.

### **Log Storage**

5. Dry land log storage shall be preferred over water storage.
6. Wherever practical, paved log yards shall be preferred over aggregate-surfaced yards to reduce waste disposal problems.
7. Unpaved storage areas underlain by permeable soils shall have at least a four (4) foot separation between ground surface and the winter water table.
8. Dikes, drains, vegetated buffer strips or other means shall be used to ensure that surface runoff is collected and discharged from the storage area at one point, if possible. It shall be demonstrated that state water quality standards or criteria will not be violated by such runoff discharge under any conditions of flow in nearby water courses. If such demonstration is not possible, treatment facilities for runoff shall be provided meeting state and federal standards.
9. Log storage shall not be permitted in public waters where water quality standards cannot be met at all times or where these activities are a hindrance to other beneficial water uses such as small craft navigation.
10. The free-fall, violent dumping of logs into water, shall be prohibited.
11. Easy let-down devices shall be employed for placing logs in the water.

12. Positive bark and wood debris controls, collection, and disposal methods shall be employed at log dumps, raft building areas, and mill-side handling zones. This shall be required for both floating and sinking particles.
13. Log dumps shall not be located in rapidly flowing waters or other water zones where positive bark and debris controls cannot be made effective.
14. Accumulations of bark and other debris on the land and docks around dump sites shall be kept out of the water.
15. Whenever possible, logs shall not be dumped, stored, or rafted where grounding will occur.
16. Where water depths will permit the floating of bundled logs, they shall be secured in bundles on land before being placed in the water. Bundles shall not be broken again except on land or at millside.

#### Natural Environment

Ports and water-related industry are not permitted in the Natural Environment.

#### Conservancy Environment

Ports and water-related industry are not permitted in the Conservancy Environment EXCEPT lumber mills and areas for water storage and handling of logs shall be permitted upon the issuance of a conditional use permit.

#### Rural Environment

Ports and water-related industry are not permitted in the Rural Environment EXCEPT that areas for dry land and water storage and handling of logs shall be permitted upon the issuance of a conditional use permit.

#### Suburban Environment

Ports and water-related industry are not permitted in the Suburban Environment.

#### Urban Environment

Ports and water-related industry are permitted in the Urban Environment subject to the General Regulations.

## RECREATION

### **Introduction**

Recreation is the refreshment of body and mind through forms of play, amusement or relaxation. Water-related recreation accounts for a very high proportion of all recreational activity in the Pacific Northwest. The recreational experience may be either an active one involving boating, swimming, fishing or hunting or the experience may be passive such as enjoying the natural beauty of a vista of a lake, river or saltwater area.

### **Policies**

1. Give priority to developments which provide recreational uses and other improvements facilitating public access to shorelines.
2. Prevent concentration of use pressure at a few points by encouraging the development of a combination of area and linear access (parking areas and easements for example), when providing public access to recreational locations such as fishing streams and hunting areas.
3. Strongly encourage the linkage of shoreline parks and public access points through the use of linear access. Many types of connections can be used such as hiking paths, bicycle trails and/or scenic drives.
4. Carefully consider the total effect the development of a recreational site will have on the environmental quality and natural resources of an area.
5. Develop guidelines for the preservation and enhancement of scenic views and vistas.
6. Avoid wasteful use of the limited supply of recreational shoreline areas by locating parking areas inland away from the immediate edge of the water and recreational beaches. Safe access should be provided by walkways or other methods.
7. Prohibit the use of motorized vehicles on beaches, dunes and fragile shoreline resources.
8. Encourage a variety of recreational facilities which will satisfy the diversity of demands from groups in nearby populated centers.
9. Allow intensive recreational developments only where sewage disposal and vector control can be accomplished to meet public health standards without adversely altering the natural features attractive for recreational use.
10. Minimize surface runoff from recreational facilities.

## **Regulations**

### **General**

1. Recreation facilities shall be designed to take maximum advantage of and enhance the natural character of the shoreline area.
2. The following regulations shall apply to artificial marine life habitats:
  - a. Habitats shall not interfere with surface navigation;
  - b. Habitats shall be constructed of long lasting non-polluting materials and moored so as to remain in their original location even under adverse current or wave action;
  - c. Habitats may not be installed on publicly-owned submerged land without permission of the administering governmental agency.
3. Motor vehicle use, to include two and three wheeled vehicles, shall not be permitted on beaches, dunes, or fragile shoreline areas EXCEPT as necessary for official maintenance or the preservation of public health and safety.

### **Natural Environment**

Very low intensity recreation uses, such as passive viewpoints, trails, or limited picnic facilities, shall be permitted in the Natural Environment, subject to the following regulations:

- a. Roads and parking, picnic and camping facilities (including restrooms) shall not be located on the shoreline. Trail access should be provided to link upland facilities to the shoreline;
- b. Golf courses, playing fields, and other large areas devoted to athletic activities will not be permitted on natural shorelines;
- c. Use of pesticides, herbicides, and fertilizers is prohibited;
- d. Landscaping must, where possible, use indigenous, self-maintaining vegetation.

### **Conservancy Environment**

Low intensity recreational uses shall be permitted in the Conservancy Environment, subject to the following regulations:

- a. A recreation facility or structure which changes or detracts from the character of the Conservancy Environment (by building design, construction technique, or intensity of use that is attracted) shall be prohibited;

- b. Golf courses, playing fields, and other large areas devoted to athletic activities will not be permitted.

Rural Environment

Recreation uses shall be permitted in the Rural Environment subject to the General Regulations.

Suburban Environment

Recreation uses shall be permitted in the Suburban Environment subject to the General Regulations.

Urban Environment

Recreation uses shall be permitted in the Urban Environment subject to the General Regulations.

## RESIDENTIAL DEVELOPMENT

### **Introduction**

The following policies and regulations are to be recognized in the development of any subdivision on the shorelines of the state. To the extent possible, planned unit developments (sometimes called cluster developments) should be encouraged within the shoreline area. Within planned unit developments, substantial portions of land are reserved as open space or recreational areas for the joint use of the occupants of the development. This land may be provided by allowing houses to be placed on lots smaller than the legal minimum size for normal subdivisions, as long as the total number of dwellings in the planned unit development does not exceed the total allowable in a regular subdivision.

### **Policies**

1. Encourage the use of the planned residential development concept in all shoreline subdivisions.
2. Require that subdivisions be designed at a level of density, site coverage, and occupancy compatible with the physical capabilities of the shoreline and waterbody.
3. Require that subdivisions be designed so as to adequately protect the water, shoreline aesthetic characteristics, and vistas.
4. Encourage subdividers to provide public pedestrian access to the shorelines within the subdivision.
5. Encourage subdividers to provide all residents within the subdivision with adequate easily accessible and usable access to the water when topographically feasible.
6. Prohibit residential development over water.
7. Require that residential developers indicate how they plan to maintain shoreline stability and control erosion, during and after construction.
8. Require that sewage disposal facilities, as well as water supply facilities, be provided in accordance with appropriate State and local health regulations. Storm drainage facilities must be separate, not combined with sewage disposal systems.
9. Require that adequate water supplies be available so that the groundwater quality and quantity will not be endangered by overpumping.
10. Do not allow residential development on shorelines which would be dependent on future bulkheading or other shoreline fortification for protection.

## **Regulations**

### **General**

1. Residential development over water shall be prohibited.
2. Applications for development of subdivisions shall include the following information (at a minimum):
  - a. Detailed statement (graphic and textual) of proposed erosion control plans to be utilized both during and after construction;
  - b. Detailed statement (graphic and textual) of any proposed alterations to the natural character of the shoreline;
  - c. Sewage disposal plans (to include statement from the Snohomish Health District attesting to their acceptability);
  - d. Storm drainage plans and provisions;
  - e. Provisions for lot owner access to the water body (where appropriate);
  - f. Provisions for public access to the water body (where appropriate);
3. Filling of, or into, water bodies or their associated wetlands for the purpose of subdivision construction shall not be permitted.
4. Placement of fill to assist in flood-proofing of residences shall be allowed subject to appropriate flood control regulations.
5. All utility lines shall be underground.

### **Natural Environment**

1. Residential subdivisions, to include short plats, shall be prohibited in the Natural Environment.
2. Multi-family dwellings shall be prohibited in the Natural Environment.
3. Residences shall maintain a 100-foot setback from the ordinary high water mark in the Natural Environment.
4. Alteration of the natural topographic features and/or flora of the site shall be restricted to that absolutely necessary to the placement of the residence. Other grading or clearing, as for lawns, etc., is prohibited.
5. Alteration of the land-water interface shall not be allowed.

### Conservancy Environment

1. Residential subdivisions, to include short plats, shall maintain an overall density of less than one dwelling unit per two acres of land.
2. Multi-family dwellings shall be prohibited in the Conservancy Environment.
3. Residences shall maintain a 100-foot setback from the ordinary high water mark in the Conservancy Environment.
4. The removal of natural vegetation and the alteration of topography shall be kept to a minimum. The need for such activities shall be documented in the permit application.
5. Subdivisions shall not be approved for which flood control, shoreline protection measures, or bulkheading will be required to protect residential lots. Conclusive evidence that such structures will be necessary for the safety of the residents on all or part of the subdivision shall be grounds for denial of all or part of the application, respectively.

### Rural Environment

1. Residential subdivisions to include short plats, shall maintain an overall density of less than one dwelling unit per acre of land.
2. Multi-family dwellings shall be prohibited in the Rural Environment except when contained in a Planned Residential Development approved pursuant to Chapter 18.38 of the Sno. Co. Zoning Code.
3. Residences shall maintain a 50-foot setback from the ordinary high water mark in Rural Environment.
4. Alterations of topography and the land-water interface shall be minimized. The need for such alteration shall be documented in the permit application.

### Suburban Environment

Residential development shall be permitted in the Suburban Environment subject to the General Regulations.

### Urban Environment

Residential development shall be permitted in the Urban Environment subject to the General Regulations.

## ROADS AND RAILROADS

### **Introduction**

A road is a linear passageway, usually for motor vehicles, and a railroad is a surface linear passageway with tracks for train traffic. Their construction can limit access to shorelines, impair the visual qualities of water-oriented vistas, expose soils to erosion and retard the runoff of flood waters.

### **Policies**

1. Locate major highways, freeways and railways away from shorelines wherever feasible.
2. Design and maintain roads to minimize erosion and permit a natural movement of groundwater.
3. Insure to the maximum extent practical, that all construction debris, overburden and other waste materials shall not enter into any water body by disposal or erosion from drainage, high water or other means.
4. Locate and design all roads and railroads so that minimum alterations of natural conditions will be necessary.
5. Provide safe pedestrian and other nonmotorized travel facilities in public shoreline areas.
6. Encourage provision of view points, rest areas and picnic facilities in public shoreline areas.
7. Retain portions of old highways having high aesthetic quality as pleasure bypass routes.
8. Locate major transportation corridors upland from the shoreline to reduce pressures for the use of waterfront sites except when shoreline alternatives are more ecologically acceptable.
9. Promote the use of abandoned railroad rights-of-way for trail systems, especially where they would provide public access to or enjoyment of the shorelines.
10. Locate and design road and railroad bridges to accommodate the existing floodways of streams and rivers.
11. Encourage creation of trail systems adjacent to new roads and railroads where feasible.

## **Regulations**

### **General**

1. Roads and railroads shall be designed so as to allow a free flow of ground and surface water under them.
2. When roads and railroads are designed to act as flood control structures, applications for permits shall contain the following information (at a minimum):
  - a. Existing flood profile and extent of flood inundation during the 100-year flood in the area of the proposed project;
  - b. Projected flood profile and extent of flood inundation at the 100-year flood with the project in place;
  - c. Present and projected flow rate of the 100-year flood at the project location;
  - d. Legal authorization to impound additional flood waters on private property (where appropriate).
3. Excess construction materials shall be removed from the shoreline area.
4. Major roads and railroads shall cross shoreline areas by the shortest, most direct route feasible, unless such route would cause significant environmental damage.
5. Bridge approach fills shall not encroach in the designated 100-year hydraulic floodway of any river.
6. Filling of tidelands, shorelands and marshes for road and railroad rights-of-way shall be prohibited unless no upland alternative exists.

### **Parking**

7. Off-street parking facilities shall be set back from the ordinary high water mark a sufficient distance, to be determined on a case-by-case basis, so as not to require the creation of or the protection of new land by shore protection measures.
8. Upland parking facilities shall be designed and landscaped to minimize adverse impacts on adjacent shorelines and abutting properties. Landscaping shall be appropriate materials and vegetation, be planted within one year after completion of construction and be providing effective screening two years after planting.
9. Upland parking facilities for shoreline activities shall provide safe and convenient pedestrian circulation within the parking area to the shorelines.

10. Commercial parking facilities shall not be permitted over water or on the shoreline.
11. Parking areas serving individual buildings on the shoreline shall be located landward from the principal building being served, EXCEPT when the parking facility is within or beneath the structure and adequately screened or in cases when an alternate orientation would have less adverse impact on the shoreline.
12. Parking facilities shall provide adequate provisions to control surface water runoff from contaminating water bodies.
13. Parking facilities directly related to ferry terminals shall be permitted on the shoreline to the extent necessary to adequately serve the facility.

#### Natural Environment

Roads and railroads are not allowed in the Natural Environment.

#### Conservancy Environment

1. Roads and railroads are permitted in the Conservancy Environment, subject to the General Regulations, when necessary to cross a shoreline area and when no other feasible alternative is present.
2. Commercial parking lots are prohibited in the Conservancy Environment.

#### Rural Environment

1. Roads and railroads are permitted in the Rural Environment subject to the General Regulations.
2. Commercial parking lots are prohibited in the Rural Environment.

#### Suburban Environment

1. Roads and railroads are permitted in the Suburban Environment subject to the General Regulations.
2. Commercial parking lots are prohibited in the Rural Environment.

#### Urban Environment

Roads and railroads are permitted in the Urban Environment subject to the General Regulations.

# SHORELINE STABILIZATION AND FLOOD PROTECTION

## **Introduction**

Flood protection and streamway modifications are those activities occurring within the streamway and wetland areas which are designed to reduce overbank flow of high waters and stabilize eroding streambanks. Reduction of flood damage, bank stabilization to reduce sedimentation, and protection of property from erosion are normally achieved through watershed and flood plain management and by structural works. Such measures are often complementary to one another and several measures together may be necessary to achieve the desired end. Unless carefully designed and located, structural measures can have a potentially adverse impact on the overall hydraulic operation of the streamway corridor.

## **Policies**

1. Locate, design and construct riprapping and other bank stabilization or flood protection measures so as to avoid channelization, protect adjacent property from adverse effects and to protect the natural character of the streamway.
2. Place all flood protection measures such as dikes and levees landward of the principal streamway, including associated swamps and marshes directly interrelated and interdependent with the stream proper.
3. Recognize and protect the integrity of a water body's hydraulic system when planning for and designing shoreline stabilization and flood protection measures.

## **Regulations**

### **General**

1. All shoreline stabilization and flood protection measures shall be designed and constructed so that downstream banks will not be adversely effected.
2. Shoreline stabilization and flood protection measures shall not be designed and constructed in such a manner as to result in channelization of normal stream flows.
3. All applications for shoreline stabilization and flood protection measures shall include the following (at a minimum):
  - a. Purpose of project;
  - b. Hydraulic characteristics of river within one-half mile on each side of proposed project;
  - c. Existing shoreline stabilization and flood protection devised within one-half mile on each side of proposed project;

- d. Construction material and methods;
  - e. Resultant hydraulic characteristics of river.
4. Flood control diking shall be landward of the designated hydraulic floodway and any marshes or swamps directly interrelated and interdependent with the river.
  5. Shoreline stabilization measures, such as riprap, are not allowed within any designated hydraulic floodway except as may be necessary to protect existing development or prevent serious impairment of channel function.
  6. Streambank vegetation shall be preserved to the maximum extent feasible consistent with safe construction requirements.
  7. Cut-and-fill slopes and backfill areas shall be revegetated with natural grasses, shrubs and/or trees in keeping with existing river bank vegetation.

#### Natural Environment

Shoreline stabilization and flood protection measures are not permitted in the Natural Environment EXCEPT as may be necessary to protect existing development and only when their construction would not destroy the viability of the Natural Environment.

#### Conservancy Environment

Shoreline stabilization and flood protection measures are permitted in the Conservancy Environment subject to the General Regulations.

#### Rural Environment

Shoreline stabilization and flood protection measures are permitted in the Rural Environment subject to the General Regulations.

#### Suburban Environment

Shoreline stabilization and flood protection measures are permitted in the Suburban Environment subject to the General Regulations.

#### Urban Environment

Shoreline stabilization and flood protection measures are permitted in the Urban Environment subject to the General Regulations.

# SIGNS

## **Introduction**

Signs are publicly displayed boards whose purpose is to provide information, direction, or advertising. Signs may be pleasing or distracting, depending upon their design and location. A sign, in order to be effective, must attract attention; however, a message can be clear and distinct without being offensive. There are areas where signs are not desirable, but generally it is the design that is undesirable, not the sign itself.

## **Policies**

1. Prohibit off-premise outdoor advertising signs in all shoreline areas.
2. Establish size, height, density and lighting limitations for signs.
3. Prevent degradation of vistas and viewpoints and impairment of visual access to the water from such vistas by the placement of signs.

## **Regulations**

### General

1. Off-premises, outdoor advertising signs shall not be permitted in any area subject to the jurisdiction of the Shoreline Management Act.
2. Animated signs are prohibited in any area subject to the jurisdiction of the Shoreline Management Act.
3. Freestanding signs shall not be allowed when they would significantly degrade a vista or viewpoint or impair the visual access to the water from such vistas.
4. Applications for freestanding signs shall demonstrate that it is infeasible or impractical to mount the requested sign flush on the building. Failure to satisfactorily meet this requirement shall be sufficient grounds for denial of the application.

### Natural Environment

### Conservancy Environment

The maximum allowable height for all signs shall be five (5) feet from ground level to sign top. Flush mounted signs may be placed on a wall higher than five (5) feet above ground as long as the height of the sign itself does not exceed three (3) feet.

### Rural Environment

The maximum allowable height for all signs shall be five (5) feet from ground level to sign top. Flush mounted signs may be placed on a wall higher than five (5) feet above ground as long as the height of the sign itself does not exceed three (3) feet.

### Suburban Environment

1. The maximum allowable height for all signs shall be thirty-five (35) feet from ground level to sign top in areas dominated (more than 50% of land area within a 300-foot radius) by commercial uses.
2. The maximum allowable height for all signs shall be five (5) feet from ground level to sign top in areas dominated (more than 50% of land area with a 300-foot radius) by residential uses.

### Exception to 1 and 2

Flush mounted signs may be placed on tall buildings so that the tops of the signs are above the height of the limits of 1 and 2, as long as the height of the sign itself is not more than fifteen (15) feet in industrial or commercial areas or three (3) feet in residential areas.

### Urban Environment

1. The maximum allowable height for all signs shall be thirty-five (35) feet from ground level to sign top in areas dominated (more than 50% of land area within a 300-foot radius) by industrial or commercial uses.
2. The maximum allowable height for all signs shall be five (5) feet from ground level to sign top in areas dominated (more than 50% of land area within a 300-foot radius) by residential uses.

### Exception to 1 and 2

Flush mounted signs may be placed on tall buildings so that the top of the sign is above the height of the limits of 1 and 2, as long as the height of the sign itself is not more than fifteen (15) feet in industrial or commercial areas or three (3) feet in residential areas.

3. Require, whenever feasible, that signs be constructed against existing buildings to minimize visual obstructions of the shoreline and water bodies.

## UTILITIES

### **Introduction**

Utilities are services which produce and carry electric power, gas, sewage, communications and oil. At this time the most feasible methods of transmission are the lineal ones of pipes and wires. The installation of this apparatus necessarily disturbs the landscape but can usually be planned to have minimal visual and physical effect on the environment.

### **Policies**

1. Insure that upon completion of utility installation or maintenance projects on shorelines, all areas be restored to pre-project configuration, replanted with native species and, provided with maintenance care until the newly planted vegetation is established.
2. Locate utility trunk lines and facilities outside shoreline areas, to the maximum extent feasible.
3. Locate utility lines and facilities, when they must be placed in a shoreline area, so as not to obstruct or destroy scenic views. Whenever feasible, these facilities should be placed underground, or designed to do minimal damage to the aesthetic qualities of the shoreline area.
4. To the maximum extent feasible, local governments should incorporate major transmission line rights-of-way on shorelines into their program for public access to and along water bodies.
5. Locate utilities to meet the needs of future populations in areas planned to accommodate this growth.
6. Combine utility rights-of-way in shorelines areas to the maximum extent possible.
7. Require that major utility developments be consistent with adopted County Comprehensive Plans for utilities, where they exist, for provision of the respective utility service to the County's residents.
8. Locate sewage treatment, water reclamation, desalinization and power plants where they are compatible with other uses of the water and shorelines.

### **Regulations**

#### **General**

1. Applications for installation of utility facilities shall include the following (at a minimum):

- a. Reason why utility facility must in a shoreline area;
  - b. Alternative locations considered and reasons for their elimination;
  - c. Location of other utility facilities in the vicinity of the proposed project to include the facilities of other types of utilities;
  - d. Proposed method(s) of construction;
  - e. Plans for reclamation of areas disturbed during construction;
  - f. Landscape plans (where appropriate);
2. Utility transmission lines shall be underground (underwater) wherever practical and where not significantly detrimental to the environment.
  3. Above-ground generating facilities, switching complexes, pumping stations, treatment plants, storage tanks, and substation shall be located at least 200 feet from the ordinary high water mark and shall be landscaped.
  4. Upon completion of installation of utility systems or of any maintenance project which disrupts the environment, the disturbed area shall be regraded to compatibility with the natural terrain and replanted (where appropriate) to prevent erosion and provide an attractive, harmonious vegetation cover. Maintenance care for newly planted vegetation shall be provided until it is established.
  5. Where utility systems cross shoreline areas, clearing necessary for installation or maintenance shall be kept to a minimum width necessary to prevent interference by trees and other vegetation with the proposed systems.
  6. Such facilities shall minimize crossings of water bodies.
  7. Banks and dikes where such facilities enter or leave a body of water shall be returned to their pre-construction configuration, shall be thoroughly compacted and protected against erosion, and shall be maintained in a safe condition by the utility.
  8. Utility lines entering or leaving a body of water, other than a river, shall be buried below the surface of the water body's bed out to a minimum water depth of minus ten feet (-10'), measured from mean lower low water PROVIDED that, where the utility consists of a flexible cable and the bottom material is soft, such cable need only be buried to a depth of minus five feet (-5'), measured from mean lower low water; and PROVIDED FURTHER that, if such cable does not bury itself to a minimum depth of ten (10) feet below mean lower low water within one year of installation, the permittee shall bury the cable to such depth.

### Natural Environment

### Conservancy Environment

Utility transmission facilities shall be permitted PROVIDED that they are oriented to crossing the Conservancy Environment area, rather than running along the shoreline area.

### Rural Environment

Utility facilities are permitted in the Rural Environment subject to the General Regulations.

### Suburban Environment

Utility facilities are permitted in the Suburban Environment subject to the General Regulations.

### Urban Environment

Utility facilities are permitted in the Urban Environment subject to the General Regulations.