

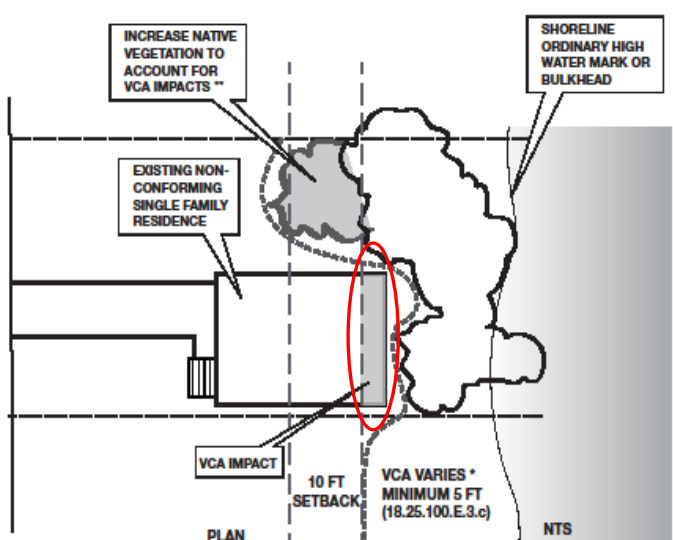
The following changes are recommended to clarify elements of the City’s updated SMP.

ITEM	SMP PROVISION	TOPIC	BILL FORMAT CHANGES [<u>underline-additions</u> ; strikes-through -deletions]	ECOLOGY - DISCUSSION/RATIONALE
A	Table of Contents Page ii	Table of Contents	Figure 7 Vegetation Conservation Area Buffer Averaging 70	<i>This change is recommended because this term (vegetation conservation area <u>buffer</u>) is not used anywhere in the text in this document. The only other place this term is used is in the figure title on page 70 and in a header row on Table 18.30.B; striking this term in those locations are also recommended changes. See also recommended changes V and BB.</i>
B	Chapter 18.10.020 Page 5	Definitions	Appurtenance, normal: A structure or development that is necessarily connected to the use and enjoyment of a single-family residence and is located landward of the ordinary high water mark and the perimeter of a wetland. For a list of normal appurtenances in University Place, see Section 18.30.130.A.	<i>This change is recommended for clarification; referencing the specific list in the cited section clearly states what will be considered a normal appurtenance in the City of University Place for purposes of implementing the SMP.</i>
C	Chapter 18.10.020 Page 10	Definitions	G. Construction of a dock, including a community dock, designed for pleasure craft only, for the private noncommercial use of the owner, lessee, or contract purchaser of single and multiple family residences. This exception applies if either: 1. In salt waters, the fair market value of the dock does not exceed two thousand five hundred dollars; or 2. In fresh waters, the fair market value of the dock does not exceed (I) twenty ten thousand dollars for docks that are constructed to replace existing docks and are of equal or lesser square footage that the existing dock being replaced; or (II) ten thousand dollars for all other docks constructed in fresh waters. , but However , if subsequent construction having a fair market value exceeding two thousand five hundred dollars occurs within five years of completion of the prior construction, and the combined fair market value of the subsequent and prior construction exceeds the amount specified in either (I) or (II) above , the subsequent construction shall be considered a substantial development for the purpose of this chapter;	<i>These changes are recommended for consistency with ESHB 1090, passed by the legislature in February 2014 and which took effect July 1, 2014.</i>
D	Chapter 18.10.020 Page 15	Definitions	Mitigation Plan: A written plan that is required to address unavoidable adverse impacts to the shoreline environment. When a proposal includes or requires compensatory mitigation, the mitigation plan shall address the criteria in Section 18.25.070.C.4 of this Master Program and shall document compliance with the mitigation sequence in Section 18.25.070.C.2. The mitigation plan is intended to be similar to the vegetation management plan described in Section 18.25.100.G, but may necessarily address shoreline features and related functions other than or in addition to vegetation. A mitigation plan may be required for activities occurring outside of VCAs and shall contain information deemed necessary by the Administrator to ensure no net loss of shoreline ecological function. Mitigation plans may be consolidated with other plans required by this SMP and may be prepared by a qualified professional or by the applicant as determined by the Administrator.	<i>This change is recommended because the SMP currently contains no description of or requirements for what must be contained in or addressed by a mitigation plan. However, mitigation plans are referred to or required by at least 6 provisions in the SMP. The SMP differentiates mitigation plans from vegetation management plans and from restoration plans; this revision would clarify the purpose of mitigation plans, what they must contain or address, how they differ from other required plans and who can prepare them.</i>
E	Chapter 18.10.020 Page 20	Definitions	Transportation Facilities: Streets, bicycle lanes, and sidewalks, and shared-use paths consistent with the City of University Place transportation design standards in UPMC 13.20 and the City of University Place design standards and guidelines for streetscape elements adopted by reference in UPMC 19.54.	<i>This change is recommended because trails and shared use paths are also referred to as recreation facilities in the SMP. When considering tables 18.30.A and 18.30.B, this presents a conflict. Trails are listed specifically as recreation facilities in table 18.30.B so Ecology recommends treating them as such throughout the SMP for consistency.</i>

ITEM	SMP PROVISION	TOPIC	BILL FORMAT CHANGES [<u>underline-additions</u> ; strike-through-deletions]	ECOLOGY - DISCUSSION/RATIONALE
F	Chapter 18.15.060 (A)(1) Page 27	Unclassified Uses	1. The proposal will satisfy the shoreline conditional use permit criteria set forth in Section 18.15.040. B C;	<i>This change is recommended to correct a typographical error/inaccurate reference.</i>
G	Chapter 18.15.070 (C)(3) Page 29	Nonconforming Development	<u>3. The expansion or resumption of a nonconforming use may be authorized as a shoreline conditional use provided the applicant demonstrates compliance with the standards in Section 18.15.060.A.</u>	<i>This change is recommended because currently the only discussion of expansion or resumption of nonconforming uses is in the Unclassified Uses section. It would be logical to include this provision in the Nonconforming Development section.</i>
H	Chapter 18.15.070 (D) [now (E)] (1) and (1)(c) Page 29	Nonconforming Development	1. When lot size would prevent development of a nonconforming lot consistent with the applicable shoreline setback requirements, the Examiner or Administrator, as appropriate, may authorize development under the following conditions: c. The decision of the Examiner or Administrator shall be based upon the shoreline variance criteria found in Section 18.15.050.F.	<i>These changes are recommended for clarity; according to sections 18.15.010 and 18.15.050, the Hearings Examiner has decision making authority on shoreline variance permit applications. Provision (1)(a) in this section outlines that development of a nonconforming lot requires a shoreline variance.</i>
I	Chapter 18.15.090 (A)(4) Page 30	Ecology Review	4. The permit data sheet per WAC 173-27- 91 90;	<i>This change is recommended to correct a typographical error/inaccurate reference.</i>
J	Chapter 18.25.030 (C)(3) Page 44	Flood Hazard Reduction	3. New structural flood hazard reduction measures shall be placed landward of the associated wetlands, and designated vegetation <u>conservation</u> areas, except for actions that increase ecological functions, such as wetland restoration. In order for such flood hazard reduction projects to be authorized, it must be determined that no other alternative is feasible to protect existing development. The need for, and analysis of feasible alternatives to structural improvements shall be documented through a geotechnical analysis.	<i>This change is recommended to clarify a typographical error; it appears the word 'conservation' in the context of vegetation conservation area was omitted.</i>
K	Chapter 18.25.040 (C)(1) and (E)(3) Pages 45 and 47	Parking	C.1. Parking should be located as far landward of the ordinary high water mark as practicable <u>feasible</u> . E.3. To the extent <u>feasible</u> practicable , attached garages and carports shall be designed and located to provide the most direct vehicular access from the street, minimize impervious driveway surface and minimize adverse impacts on the shoreline.	<i>These changes are recommended because the word 'feasible' is defined in the SMP while 'practicable' is not.</i>
L	Chapter 18.25.050 (F)(8) Page 54	Public Access	8. Public access facilities may be developed over water subject to the mitigation sequencing priorities in Section 18.25.0 <u>8</u> 70.C.4 and all other applicable provisions of this Shoreline Program. All ecological impacts shall be mitigated to achieve no net loss of shoreline ecological functions and system-wide processes.	<i>This change is recommended to correct a typographical error/inaccurate reference.</i>
M	Chapter 18.25.070 (D)(2) Page 59	Shoreline Ecological Protection and Mitigation	2. If there are any conflicts or unclear distinctions between this Shoreline Program and the critical areas regulations, the requirements that are the most <u>specific consistent with the Shoreline Management Act or Washington Administrative Code and most protective of the resource</u> shall apply.	<i>This change is recommended for clarity; the City and State have endeavored to ensure there are no conflicts, however the revised language would ensure consistency between intent and application/implementation. This would also align with the statement of intent in Section 18.05.060.B.</i>
N	Chapter 18.25.070	Shoreline Ecological	b. Provisions relating to variance procedures and criteria in UPMC Chapter 17.10 do not apply in shoreline jurisdiction. Variance procedures and criteria have been established in	<i>This change is recommended to correct a typographical error/inaccurate reference.</i>

ITEM	SMP PROVISION	TOPIC	BILL FORMAT CHANGES [<u>underline-additions</u> ; strike-through-deletions]	ECOLOGY - DISCUSSION/RATIONALE
	(D)(5)(b) Page 60	Protection and Mitigation	Section 18.15.050 of this Shoreline Program and in WAC 173-27-170.4-	
O	Chapter 18.25.080 (A) Page 62	Shoreline Restoration and Enhancement	A. Intent and Applicability. Restoration refers to the reestablishment or upgrading of impaired ecological shoreline processes or functions. The following goals and policies <u>and regulations</u> are intended to guide actions that are designed to achieve improvements in shoreline ecological functions over time in shoreline areas where such functions have been degraded. The overarching purpose is to achieve overall improvements over time when compared to the condition upon adoption of this Shoreline Program, as detailed in the <u>Shoreline Inventory and Characterization Report</u> Cumulative Impacts Analysis Report .	<i>The first change is recommended because the section of text that follows includes policies and regulations, but no goals. The second change is recommended because the Inventory and Characterization is the background document intended to describe the current baseline condition of shoreline areas within the City.</i>
P	Chapter 18.25.080 (C)(2) Page 63	Shoreline Restoration and Enhancement	2. Restoration/enhancement plans <u>projects</u> shall be designed to increase quality, width and diversity of native vegetation in protected corridors adjacent to riparian habitats to provide safe migration pathways for fish and wildlife, food, nest sites, shade, perches, and organic debris, where appropriate. Plans <u>Projects</u> should strive to control non-indigenous plants or weeds that are proven harmful to <u>adversely affect</u> native vegetation or habitats.	<i>The two changes from “plans” to “projects” are recommended because this section is about restoration and enhancement projects. The previous regulation in this section requires that restoration and enhancement projects be carried out in accordance with an approved vegetation management plan, so it does not appear that this regulation was intended to speak to or require a different or additional plan (restoration/enhancement plan). The other two changes are recommended for clarity; it is unclear what parts of the landscape would comprise ‘protected corridors adjacent to riparian habitats’ with regard to the SMP, and it is unclear how ‘harm’ would be defined or proven.</i>
Q	Chapter 18.25.080 (C)(3) & (4) Page 63	Shoreline Restoration and Enhancement	<p><u>3. In accordance with RCW 90.58.580, a Substantial Development Permit is not required for development on land that is brought under shoreline jurisdiction due to a shoreline restoration project. However, projects are still required to comply with the regulations of this Master Program.</u></p> <p><u>4. Projects taking place on lands that are brought into shoreline jurisdiction due to a shoreline restoration project that caused a landward shift of the OHWM may apply to the Administrator for relief from the SMP development standards and use regulations under the provisions of RCW 90.58.580. Any relief granted shall be strictly in accordance with the limited provisions of RCW 90.58.580, including the specific approval of the Department of Ecology.</u></p>	<i>These changes are recommended to detail the process for seeking relief from SMP development standards and use regulations when a shoreline restoration project causes or would cause a landward shift in the OHWM, and the circumstances under which a substantial development permit is not required (RCW 90.58.580).</i>
R	Chapter 18.25.100 (D)(1) Page 66	Vegetation Conservation	1. The following uses and activities may be authorized within the VCA if also allowed within the associated shoreline environment designation. Uses or activities listed in items a-j shall be located in the outer half of the required VCA to the greatest extent possible <u>feasible</u> . If an allowed non-residential use or activity requires additional area <u>more area than the allowed percentage outlined in regulation 2 below</u> , such as transportation facilities, utilities and public recreation trails, the applicant shall ensure that the proposed use or activity will not result in a net loss to shoreline ecological functions and plant vegetation in an equivalent area elsewhere on-site within the shoreline area. The Administrator shall utilize mitigation sequencing priorities in Section 18.25.070.C.2 when considering intrusions into VCAs.	<i>The first change is recommended because the word ‘feasible’ is defined in the SMP while ‘practicable’ is not. The second change is recommended for clarity; it is not immediately apparent what is meant by “additional area” until one reads further in this section. This change would spell out the ‘area’ that is the subject of this provision.</i>

ITEM	SMP PROVISION	TOPIC	BILL FORMAT CHANGES [<u>underline-additions</u> ; strike-through-deletions]	ECOLOGY - DISCUSSION/RATIONALE														
S	Chapter 18.25.100 Figure 6 Page 67	Vegetation Conservation	<p>SEE 18.25.100.C.1.b FOR EXEMPTIONS FROM VCA RESTORATION AND ENHANCEMENT REQUIREMENTS →</p> <table border="1" data-bbox="1061 170 1357 300"> <thead> <tr> <th>SED</th> <th>WIDTH</th> <th>AREA*</th> </tr> </thead> <tbody> <tr> <td>SR, DIMI</td> <td>25'</td> <td>25%</td> </tr> <tr> <td>N</td> <td>100'</td> <td>10%</td> </tr> <tr> <td>UC</td> <td>40'</td> <td>25%</td> </tr> </tbody> </table> <p style="text-align: right;"><u>150'</u></p> <p style="text-align: center;">outer half of the</p> <div data-bbox="645 389 1303 706" style="border: 1px solid black; padding: 5px;"> <p>* Percent of VCA that may be used for the following uses and activities within the VCA if also allowed within the associated shoreline environment designation:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>a. Transportation facilities and utilities only when it has been determined that alternative upland locations are not feasible;</p> <p>b. Pedestrian access from upland areas to the shoreline, piers, docks, launch ramps, viewing platforms, wildlife viewing blinds and other similar water-oriented uses;</p> <p>c. Public access viewpoints;</p> <p>d. Public recreation trails and shared use pathways;</p> <p>e. Educational facilities such as viewing platforms, wildlife viewing blinds and interpretive sites;</p> </td> <td style="width: 50%; vertical-align: top;"> <p>f. Equipment necessary for conducting water-dependent uses such as boat travel lifts for boat maintenance and upland storage;</p> <p>g. Improvements that are part of an approved enhancement, restoration, or mitigation plan;</p> <p>h. Shoreline stabilization only when it is part of an approved project.</p> <p>i. Uncovered single-family residential decks, patios, access paths and play surfaces utilizing pervious materials and designs;</p> <p>j. Benches, tables, hot tubs, fire pits, play equipment and other similar accessory structures or equipment provided in conjunction with a single-family residence;</p> </td> </tr> </table> </div> <p>FIGURE 6 ALLOWABLE USES AND ACTIVITIES IN VEGETATION CONSERVATION CONSERVATION AREA</p>	SED	WIDTH	AREA*	SR, DIMI	25'	25%	N	100'	10%	UC	40'	25%	<p>a. Transportation facilities and utilities only when it has been determined that alternative upland locations are not feasible;</p> <p>b. Pedestrian access from upland areas to the shoreline, piers, docks, launch ramps, viewing platforms, wildlife viewing blinds and other similar water-oriented uses;</p> <p>c. Public access viewpoints;</p> <p>d. Public recreation trails and shared use pathways;</p> <p>e. Educational facilities such as viewing platforms, wildlife viewing blinds and interpretive sites;</p>	<p>f. Equipment necessary for conducting water-dependent uses such as boat travel lifts for boat maintenance and upland storage;</p> <p>g. Improvements that are part of an approved enhancement, restoration, or mitigation plan;</p> <p>h. Shoreline stabilization only when it is part of an approved project.</p> <p>i. Uncovered single-family residential decks, patios, access paths and play surfaces utilizing pervious materials and designs;</p> <p>j. Benches, tables, hot tubs, fire pits, play equipment and other similar accessory structures or equipment provided in conjunction with a single-family residence;</p>	<p><i>The changes to this figure are recommended so they are consistent with the text they are intended to illustrate.</i></p> <p><i>The vegetation conservation area in the Natural designation is 150' wide, not 100' wide.</i></p> <p><i>Section 18.25.100.D.1 outlines that these uses shall be located in the outer half of the required VCA.</i></p> <p><i>This change corrects a typographical error.</i></p>
SED	WIDTH	AREA*																
SR, DIMI	25'	25%																
N	100'	10%																
UC	40'	25%																
<p>a. Transportation facilities and utilities only when it has been determined that alternative upland locations are not feasible;</p> <p>b. Pedestrian access from upland areas to the shoreline, piers, docks, launch ramps, viewing platforms, wildlife viewing blinds and other similar water-oriented uses;</p> <p>c. Public access viewpoints;</p> <p>d. Public recreation trails and shared use pathways;</p> <p>e. Educational facilities such as viewing platforms, wildlife viewing blinds and interpretive sites;</p>	<p>f. Equipment necessary for conducting water-dependent uses such as boat travel lifts for boat maintenance and upland storage;</p> <p>g. Improvements that are part of an approved enhancement, restoration, or mitigation plan;</p> <p>h. Shoreline stabilization only when it is part of an approved project.</p> <p>i. Uncovered single-family residential decks, patios, access paths and play surfaces utilizing pervious materials and designs;</p> <p>j. Benches, tables, hot tubs, fire pits, play equipment and other similar accessory structures or equipment provided in conjunction with a single-family residence;</p>																	
T	Chapter 18.25.100 (E)(6) Page 68	Vegetation Conservation	<p>a. An existing home and other primary structures located within <u>and encompassing more than 50% of</u> a VCA may be considered sufficient justification for demonstrating infeasibility;</p>	<p><i>This change is recommended for clarity and for consistency with Section 18.25.100.C.1.b.</i></p>														
U	Chapter 18.25.100 (F)(1) and (3) Page 69	Vegetation Conservation	<p>1. If the development footprint within the VCA would be increased by a proposed an <u>allowed</u> alteration, and if the VCA does not contain native vegetation or the native vegetation within the VCA has been significantly degraded, vegetation shall be required as follows:</p> <p>3. The width of a VCA may be averaged to account for variation in site conditions and to create a more natural arrangement of plantings (see Figure 7 below). The total square footage of landscaped area shall be calculated based on the minimum width area specified for each shoreline environment in Section 18.25.100.C.1. Area lost through reduction of the VCA width must be added to another portion of the VCA, which will result in no loss of VCA area. The minimum reduced width of the averaged area shall be no less than 50 percent of the minimum width specified in Section 18.25.100.C.1. The averaged VCA shall be configured to include all existing trees over six inches diameter breast height to the extent practicable <u>feasible</u>.</p>	<p><i>The first change is recommended for specificity. The second change is recommended because the word 'feasible' is defined in the SMP while 'practicable' is not.</i></p>														

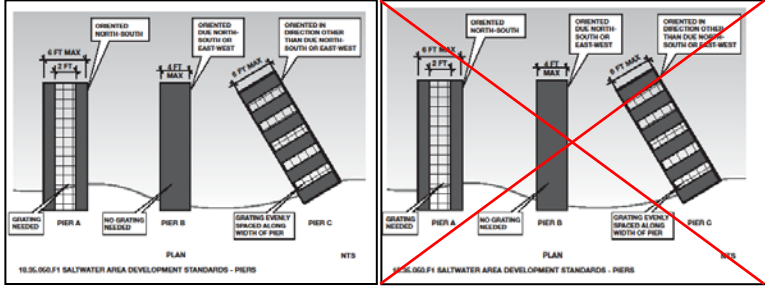
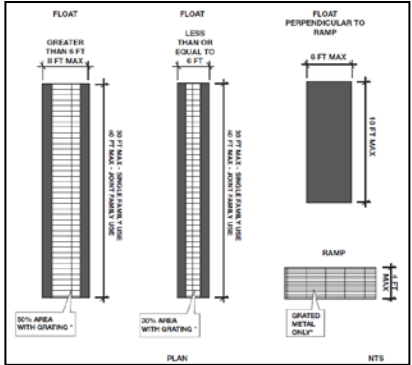
ITEM	SMP PROVISION	TOPIC	BILL FORMAT CHANGES [<u>underline-additions</u> ; strike-through -deletions]	ECOLOGY - DISCUSSION/RATIONALE
V	Chapter 18.25.100 Figure 7 Page 70	Vegetation Conservation	 <p>FIGURE 7 VEGETATION CONSERVATION AREA BUFFER AVERAGING</p>	<p><i>It is recommended that the illustrated "VCA impact area" (red circle) be revised. This area depicts what is assumed to be an addition to a single family residence. However, various provisions in the SMP (18.25.100 (E)(5) and 18.30.130 (C)) indicate that additions to existing residential structures are not allowed in VCAs. Additionally, if this were a nonconforming residence, no expansion could occur within the VCA according to Section 18.15.070 (C)(1)(d)(i). For accuracy and consistency, it is recommended that an accessory structure or improvement such as a deck or patio as outlined in 18.25.100 (D)(1) be depicted in this figure instead.</i></p> <p><i>Striking "buffer" in the figure text and title are recommended here because this term (vegetation conservation area <u>buffer</u>) is not used anywhere in the text in this document. The only other place this term is used is in the table of contents as well as in a header row on Table 18.30.B; striking those are also recommended changes.</i></p>
W	Chapter 18.25.100 (G)(1)(b) Page 71	Vegetation Conservation	<p>b. A description of how mitigation sequencing in Section 18.25.070.C.2 was used of <u>and</u> how the plan achieves no net loss of shoreline ecological functions the vegetation is providing;</p>	<p><i>This change is recommended to support full implementation of and emphasis on the mitigation sequence and no net loss as outlined in Section 18.25.070 (C)(1) and (2).</i></p>
X	Chapter 18.25.110 (D)(7) and (8) Page 75	View Protection	<p>7. Where lighted signs and illuminated areas are authorized, such illuminating devices shall be shaded and directed so as to minimize, to the extent practicable <u>feasible</u>, the negative impact of light and glare on neighboring properties, streets, public areas or water bodies. Signage shall comply with the illumination standards specified in Section 19.75.070.B.2.</p> <p>8. New development, uses and activities shall locate and screen trash and recycling receptacles, utility boxes, HVAC systems, electrical transformers and other appurtenances to minimize interference with public views. Building mechanical equipment shall be incorporated into building architectural features, such as pitched roofs, to the maximum extent possible <u>feasible</u>. Where mechanical equipment cannot be incorporated into architectural features, a visual screen shall be provided consistent with building exterior materials that obstructs views of such equipment but not the shoreline.</p>	<p><i>These changes are recommended because the word 'feasible' is defined in the SMP while 'practicable' and 'possible' are not.</i></p>
Y	Chapter 18.25.110	View Protection	<p>d. The extent to which development on other properties in the immediate area has already been degraded or preserved public shoreline views.</p>	<p><i>This change is recommended to correct a typographical error.</i></p>

ITEM	SMP PROVISION	TOPIC	BILL FORMAT CHANGES [<u>underline-additions</u> ; strike-through-deletions]	ECOLOGY - DISCUSSION/RATIONALE																														
	(E)(1)(d) Page 77																																	
Z	Chapter 18.30.010 Page 80	Shoreline Use and Development	The purpose of this chapter is to set forth policies and regulations for specific common uses and types of development that occur within University Place's shoreline jurisdiction. Where a use is not listed in Table 18.30.A, the provisions of Chapter 18.15.060, Unclassified Uses, shall apply in <u>addition to the general provisions in this chapter</u> . All uses and activities shall be consistent with the provisions of the shoreline environment designation in which they are located.	<i>This change is recommended for clarity and specificity.</i>																														
AA	Chapter 18.30.030 (B) Page 81	Regulations	B. All uses not explicitly allowed in this Shoreline Program shall require a conditional use permit. The Administrator and/or Hearing Examiner may impose conditions to ensure that the proposed development meets the policies of this Shoreline Program.	<i>This change is recommended for clarity; according to sections 18.15.010 and 18.15.050, the Hearings Examiner has decision making authority on shoreline conditional use permit applications.</i>																														
BB	Chapter 18.30.040 Table 18.30.B Page 84	Development Standards	<table border="1"> <tr> <th colspan="6">Vegetation Conservation Area (VCA) Buffer</th> </tr> <tr> <td></td> <td>25'</td> <td>25'²¹</td> <td>40'</td> <td>150'</td> <td>N/A</td> </tr> </table>	Vegetation Conservation Area (VCA) Buffer							25'	25' ²¹	40'	150'	N/A	<i>This change is recommended because this term (vegetation conservation area <u>buffer</u>) is not used anywhere in the text in this document. This term is used in the figure 7 title on page 70 and in the table of contents; striking those are also recommended changes.</i>																		
Vegetation Conservation Area (VCA) Buffer																																		
	25'	25' ²¹	40'	150'	N/A																													
CC	Chapter 18.30.040 Table 18.30.B Page 85	Development Standards	<table border="1"> <tr> <td></td> <td>Day Island Medium Intensity</td> <td>Shoreline Residential</td> <td>Urban Conservancy</td> <td>Natural</td> <td>Marine Deepwater</td> </tr> <tr> <th colspan="6">Commercial</th> </tr> <tr> <td>Water-Related and Enjoyment</td> <td>35'</td> <td>N/A</td> <td>50' N/A</td> <td>N/A</td> <td>N/A</td> </tr> <tr> <th colspan="6">Recreation</th> </tr> <tr> <td>Nonwater-Oriented</td> <td>60'</td> <td>35' N/A</td> <td>50'</td> <td>160'</td> <td>N/A</td> </tr> </table>		Day Island Medium Intensity	Shoreline Residential	Urban Conservancy	Natural	Marine Deepwater	Commercial						Water-Related and Enjoyment	35'	N/A	50' N/A	N/A	N/A	Recreation						Nonwater-Oriented	60'	35' N/A	50'	160'	N/A	<i>These changes are recommended for consistency; Table 18.A.30 outlines that commercial uses are prohibited in the urban conservancy designation and nonwater-oriented recreation is prohibited in the shoreline residential designation.</i>
	Day Island Medium Intensity	Shoreline Residential	Urban Conservancy	Natural	Marine Deepwater																													
Commercial																																		
Water-Related and Enjoyment	35'	N/A	50' N/A	N/A	N/A																													
Recreation																																		
Nonwater-Oriented	60'	35' N/A	50'	160'	N/A																													
DD	Chapter 18.30.040 Table 18.30.B Footnotes 7, 17 & 18 Page 86	Development Standards	<p>7 = Maximum height for properties located both east of the centerline of the Day Island Waterway and more than 100 feet from the OHWM or when located on the upland (easterly) side of 91st Avenue West (see Figure 11 in UPMC 19.45.100), subject to approval of visual impact assessment, per Section 18.25.130 <u>110</u>.E.</p> <p>17 = Impervious area located within 100 feet of the OHWM; may be increased from 50% to 65% by restoring or enhancing the VCA in accordance with the provisions of Section 18.25.120 <u>100</u>.</p> <p>18 = Impervious area located more than 100 feet from the OHWM; may be increased from 75% to 90% by restoring or enhancing the VCA in accordance with the provisions of Section 18.25.120 <u>100</u>.</p>	<i>These changes are recommended to correct typographical errors/inaccurate references.</i>																														
EE	Chapter 18.30.040 Table 18.30.B	Development Standards	21 = Properties on Sunset Beach and Day Island South Spit are exempt from VCA requirements. Properties on Day Island that have an existing SFD located within 10 feet of the OHWM <u>or have at least 50% of the VCA occupied by an existing SFD and other primary</u>	<i>This change is recommended for consistency with Section 18.25.100.C.1.b.</i>																														

ITEM	SMP PROVISION	TOPIC	BILL FORMAT CHANGES [<u>underline-additions</u> ; strikerthrough-deletions]	ECOLOGY - DISCUSSION/RATIONALE
	Footnote 21 Page 86		<u>structures</u> are exempt from VCA requirements.	
FF	Chapter 18.30.040 Table 18.30.B Footnote 31 Page 86	Development Standards	31 = Setbacks from OHWM for new construction and additions; existing lawfully established structures located closer to OHWM than specified setback shall be considered “conforming” structures. These may be expanded provided dwelling floor area, including <u>any</u> attached <u>structures such as</u> garages, <u>carports and the like</u> , does not exceed 1,600 square feet inclusive of addition(s).	<i>This change is recommended for clarity and precision; the intent is to accommodate reasonable expansion of homes on the Day Island South Spit, most of which are located adjacent to or extend past the ordinary high water mark and have little to no upland area in which to expand. This change would provide certainty and consistency with regard to how dwelling floor area is measured and what it is included, and would prevent other attached structures that would have been excluded from the 1,600 square foot calculation from being constructed and altered over time into space that would qualify as dwelling floor area.</i>
GG	Chapter 18.30.070 (E)(1)(a) Page 90	Boating Facilities	a. The proposed location or modification is the least environmentally damaging alternative. Shallow water embayments, areas of active channel migration where dredging would be required because of the proposed change , and areas of intact shoreline ecological functions and processes, are avoided;	<i>This change is recommended to clarify it is not the City’s intent to prohibit modifications to existing marinas within the Day Island waterway, which could be considered a shallow water embayment.</i>
HH	Chapter 18.30.080 (E)(1)(c) Page 96	Commercial	c. The use is within the shoreline jurisdiction but physically separated from the shoreline by a separate property, public right-of-way, or existing use, and provides a significant public benefit with respect to the public access and restoration goals of this Shoreline Program . For the purposes of this Shoreline Program, public access trails and facilities do not constitute a separation.	<i>It is recommended that this language be struck from this section. In the Guidelines (WAC 173-26-241 (3)(d)), this language applies to nonwater-oriented commercial uses that are part of mixed-use projects that include water dependent uses not to nonwater-oriented uses on sites physically separated from the shoreline. The Guidelines requirement related to public benefit and mixed use projects is captured in regulation E.1.a in this section of the SMP. Additionally, it may not be possible for development on properties that are physically separated from the shoreline to provide shoreline restoration or to provide physical public access to the shoreline.</i>
II	Chapter 18.30.120 (B)(2) Page 100	Recreation	2. Water-oriented recreational uses, such as boating, swimming beaches, and wildlife viewing, should have priority over non-water- oriented dependent recreation uses, such as sports fields. A variety of compatible recreation experiences and activities should be encouraged to satisfy diverse recreational needs.	<i>This change is recommended for consistency and to correct a typographical error.</i>
JJ	Chapter 18.30.120 (F)(1) & (1)(b) Page 103	Recreation	F. Regulations – Non-Water- <u>Oriented Related and Enjoyment</u> 1. Non-water- <u>oriented related or enjoyment</u> recreation uses are not allowed unless they meet one of the following criteria: b. The use is within the shoreline jurisdiction but physically separated from the shoreline by a separate property, public right-of-way, or existing use, and provides a significant public benefit with respect to the public access and restoration goals of this Shoreline Program . For the purposes of this Shoreline Program, public access trails and facilities do not constitute a separation;	<i>The first two changes are recommended for clarity. The third change is recommended because it may not be possible for recreational uses on properties that are physically separated from the shoreline to provide shoreline restoration with any functional benefit or to provide physical public access to the shoreline. See also recommended change HH.</i>
KK	Chapter 18.30.120 (F)(2) Page 103	Recreation	2. Non-water- <u>oriented related or enjoyment</u> recreation buildings or uses shall be set back from the ordinary high water mark in accordance with the distances specified in Table 18.30.B. The area between these buildings or uses and the ordinary high water mark shall be used for water-related and enjoyment use, additional public access or shoreline restoration. Buildings that contain a mix of non-water- <u>oriented and water</u> related and enjoyment uses may be set back from the ordinary high water mark in accordance with the distance specified in Table 18.30.B for “all other water-related recreational structures” provided the use of the building is predominantly water-related and enjoyment.	<i>This change is recommended for clarity.</i>

ITEM	SMP PROVISION	TOPIC	BILL FORMAT CHANGES [<u>underline-additions</u> ; strikethrough-deletions]	ECOLOGY - DISCUSSION/RATIONALE																																				
LL	Chapter 18.30.140 (A) Page 106	Transportation	Applicability. Transportation facilities are those structures and developments that aid in land, air, and water surface movement of people, goods, and services. They include roads and highways, bridges (including pedestrian bridges), bikeways, railroads, trails , public transportation facilities, and other related facilities. In the City, these uses (other than railroads) account for a minimal percentage of the shoreline land inventory. However, the impact of these facilities on shorelines can be substantial.	<i>This change is recommended because trails and shared use paths are also referred to as recreation facilities in the SMP. When considering tables 18.30.A and 18.30.B, this presents a conflict. Trails are listed specifically as recreation facilities in table 18.30.B so Ecology recommends treating them as such throughout the SMP for consistency. See also recommended change E.</i>																																				
MM	Chapter 18.35.010 (A)(5) and (B)(2) Page 112	General Provisions	A.5. The enhancement of impaired ecological functions should be planned for while accommodating authorized uses. All feasible measures to protect ecological functions and ecosystem-wide processes should be incorporated in the placement and design of shoreline modifications. To avoid and reduce ecological impacts, mitigation sequencing set forth in Section 18.25.070.C.2 3 should be used. B. 2. Shoreline modifications shall not result in the loss of shoreline ecological functions or ecosystem wide processes. All proposals for shoreline modifications shall take measures to avoid or reduce ecological impacts in accordance with the mitigation sequencing priorities set forth in Section 18.25.070.C.2 3 .	<i>These changes are recommended to correct typographical errors/inaccurate references.</i>																																				
NN	Chapter 18.35.020 Table 18.35 Page 113	Shoreline Modifications	<table border="1"> <thead> <tr> <th></th> <th>Day Island Medium Intensity</th> <th>Shoreline Residential</th> <th>Urban Conservancy</th> <th>Natural</th> <th>Marine Deepwater</th> </tr> </thead> <tbody> <tr> <td>Fill</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Ecological Restoration Projects</td> <td>P</td> <td>P</td> <td>P</td> <td>C</td> <td>C</td> </tr> <tr> <td>Flood Reduction Projects</td> <td>C</td> <td>C</td> <td>C</td> <td>X</td> <td>N/A</td> </tr> <tr> <td>Water-Dependent Uses and Public Access</td> <td>C</td> <td>C</td> <td>C</td> <td>XC</td> <td>C</td> </tr> <tr> <td><u>Other Permitted Use or Development</u></td> <td><u>P</u></td> <td><u>P</u></td> <td>P</td> <td><u>X</u></td> <td><u>C</u></td> </tr> </tbody> </table>		Day Island Medium Intensity	Shoreline Residential	Urban Conservancy	Natural	Marine Deepwater	Fill						Ecological Restoration Projects	P	P	P	C	C	Flood Reduction Projects	C	C	C	X	N/A	Water-Dependent Uses and Public Access	C	C	C	X C	C	<u>Other Permitted Use or Development</u>	<u>P</u>	<u>P</u>	P	<u>X</u>	<u>C</u>	<p><i>These changes are recommended for alignment with Section 18.35.040.D. That section outlines the regulations applicable to fill within each environment designation, which currently conflict with this table.</i></p> <p><i>The change for water dependent uses and public access in the natural designation is recommended because the corresponding text in 18.35.040.D.2 says that fill associated with a public access trail or shared use path may be authorized with a shoreline conditional use permit in this environment designation.</i></p> <p><i>The addition of the "other" row aligns with text in 18.35.040.D.3 - .5 that says fill associated with a permitted use or development may be authorized with a shoreline substantial development permit in the Urban Conservancy, Shoreline Residential and Day Island Medium Intensity designations.</i></p>
	Day Island Medium Intensity	Shoreline Residential	Urban Conservancy	Natural	Marine Deepwater																																			
Fill																																								
Ecological Restoration Projects	P	P	P	C	C																																			
Flood Reduction Projects	C	C	C	X	N/A																																			
Water-Dependent Uses and Public Access	C	C	C	X C	C																																			
<u>Other Permitted Use or Development</u>	<u>P</u>	<u>P</u>	P	<u>X</u>	<u>C</u>																																			
OO	Chapter 18.35.030 (C)(3)-(5) Page 116	Dredging and Dredge Material Disposal	<p>3. Urban Conservancy: Dredging and dredge disposal may be authorized for <u>the activities outlined in section 18.35.030.B.2 maintaining a navigational channel or as part of an approved restoration project or restoration program with a shoreline conditional use permit.</u></p> <p>4. Shoreline Residential: Dredging and dredge disposal may be authorized for <u>the activities outlined in section 18.35.030.B.2 maintaining a navigational channel or as part of an approved restoration project or restoration program with a shoreline conditional use permit.</u></p>	<i>These changes are recommended because these provisions conflict with section B.2 of this chapter, which includes a longer list of activities for which dredging can be authorized.</i>																																				

ITEM	SMP PROVISION	TOPIC	BILL FORMAT CHANGES [<u>underline-additions</u> ; strike-through-deletions]	ECOLOGY - DISCUSSION/RATIONALE
			<p>permit. 5. Day Island Medium Intensity: Dredging and dredge disposal may be authorized for the activities outlined in section 18.35.030.B.2 maintaining a navigational channel or as part of an approved restoration project or restoration program with a shoreline conditional use permit.</p>	
PP	Chapter 18.35.040 (A)(3) Page 116	Fill	3. Fill should be allowed to accommodate berms or other structures to prevent flooding caused by sea level rise when other flood prevention methods or alternatives are not feasible and in accordance with Section 18.25.030.	<i>This change is recommended for clarity and internal consistency. See also required change AA.</i>
QQ	Chapter 18.35.040 (B)(6) Page 117	Fill	6. Fill intended to raise the elevation of properties that experience periodic flooding due to extreme high tides and/or storm surges shall be authorized when all of the following are met. Fill that meets these conditions does not require a shoreline conditional use permit:	<i>This change is recommended to clarify the City's intent that fills for such purposes and when limited to the listed conditions does not require a conditional use permit.</i>
RR	Chapter 18.35.050 (D)(3) Page 121	Moorage	3. Shared moorage proposed for lease to upland property owners and serving 5 or more boats shall be reviewed as a boating facility in accordance with the provisions of 18.30.070.	<i>This change is recommended for clarification and to avoid conflicts with number 5 in this section, which states that new joint use docks can be authorized on community recreation lots shared by a number of waterfront or upland lots. It was unclear what about shared moorage leased to upland property owners would trigger reviewing it as a boating facility. This clarification ties that threshold to the definition of dock in the SMP, which outlines that docks serving 5 or more boats are considered a marina.</i>
SS	Chapter 18.35.050 (E)(3)(b) Page 122	Moorage	<p>b. Piles for a new pier shall be spaced no closer than 20 feet apart, unless the structure is less than 20 feet long for which pilings shall be placed only at the ends of the structure, and shall be no greater than 10 inches in diameter.</p> <p>Re-number following provision.</p>	<i>It is recommended this language be stricken; it was originally inserted to align with proposed language in the Hydraulic Project Application (HPA) rule revision but the language is not in the most recent version of the proposed rule. The City could leave this requirement in the SMP but if different standards end up in the final version of the HPA rule it could put project applicants in the position of having to apply for a shoreline variance.</i>
TT	Chapter 18.35.050 (F)(1)(a) and (b) Page 123	Moorage	<p>a. Residential P piers shall not exceed 6 feet in width.</p> <p>b. If the width of the pier is greater than 4 feet (up to 6 feet), it shall have grating installed on at least 30 percent of the surface or as required in a Hydraulic Permit Approval (HPA) from the Department of Fish and Wildlife.</p>	<i>These changes are recommended because the language was originally inserted in the SMP to align with proposed language in the Hydraulic Project Application (HPA) rule revisions. However in the most recent version of the proposed rule, the first provision applies only to residential docks and the second provision only applies to piers oriented in a north/south direction. As outlined above, leaving these requirements in the SMP as written could put project applicants in the position of having to apply for a shoreline variance.</i>
UU	Chapter 18.35.050 (F)(2)(a) and (b) Page 123	Moorage	<p>a. Residential R ramps shall not exceed 4 feet in width.</p> <p>b. Ramps shall be constructed entirely of grated material, or as required in a Hydraulic Permit Approval (HPA) from the Department of Fish and Wildlife.</p>	<i>These changes are recommended because the language was originally inserted in the SMP to align with proposed language in the Hydraulic Project Application (HPA) rule revisions. However in the most recent version of the proposed rule, the first provision applies only to residential docks and the second provision only applies to piers oriented in a specific direction, and there are additional requirements for ramps in marinas.</i>
VV	Chapter 18.35.050 (F)(3)(a) (c) Page 123	Moorage	<p>a. Residential F floats shall not exceed 8 feet in width.</p> <p>c. For a residential joint-use structure, a float shall not exceed 50 60 feet in length.</p>	<i>This change is recommended because the language was originally inserted in the SMP to align with proposed language in the Hydraulic Project Application (HPA) rule revisions. In the most recent version of the proposed rule, the provisions apply only to residential floats and the dimension in the second provision has changed from 50 to 60 feet.</i>

ITEM	SMP PROVISION	TOPIC	BILL FORMAT CHANGES [<u>underline-additions</u> ; strike-through-deletions]	ECOLOGY - DISCUSSION/RATIONALE
WW	Chapter 18.35.050 Figures 9 and 10 Page 124	Moorage	 <p>FIGURE 9 PIER STANDARDS FIGURE 10 FLOAT AND RAMP STANDARDS</p>	<p><i>It is recommended that this figure be deleted and replaced with the correct figure (from the City, below); figure 10 should illustrate float and ramp standards but is the same illustration used in Figure 9 (which depicts saltwater pier standards).</i></p> 
XX	Chapter 18.35.060 Page 126	Restoration and Enhancement	<p><u>Restoration and enhancement projects may include shoreline modification actions such as modification of vegetation, shoreline stabilization, dredging, and filling.</u></p>	<p><i>It is recommended that this language be added as a new paragraph at the end of the introduction to this section. Versus the restoration and enhancement section in Chapter 18.25 (18.25.080), this section addresses restoration and enhancement in the context of shoreline modifications. This change will help clarify the intent of the policies and regulations in this section. See also required change CC.</i></p>
YY	Chapter 18.35.060 (C)(1) Page 127	Restoration and Enhancement	<p>1. Restoration and enhancement projects <u>that include shoreline modification actions</u> may be authorized in all shoreline environments provided:</p>	<p><i>This change is recommended because this phrase as used in the Guidelines applies to restoration and enhancement projects that include shoreline modification actions, not all restoration or enhancement projects in general.</i></p>
ZZ	Chapter 18.35.070 (C)(8) Page 131	Shoreline Stabilization	<p>8. In order to determine appropriate mitigation measures, the Administrator may require environmental information and analysis, including existing conditions, ecological functions and anticipated impacts, along with a restoration <u>vegetation management</u> plan outlining how proposed mitigation measures would result in no net loss of shoreline ecological functions.</p>	<p><i>This change is recommended because the SMP does not contain any description of what would constitute a restoration plan as it relates to mitigation for authorized development. Conversely, vegetation management plans are defined and detailed in section 18.25.100.G. Referring to this plan instead would provide certainty and clarity.</i></p>
AAA	Chapter 18.35.070 (D)(2) Page 132	Shoreline Stabilization	<p>2. An existing shoreline stabilization structure may be replaced with a similar functioning structure if there is a demonstrated need to protect principal uses or structures from erosion caused by currents, tidal action, or waves. <u>If a primary structure is located less than 25 feet from the ordinary high water mark, the property owner/applicant is not required to demonstrate need.</u></p>	<p><i>This change is recommended for consistency with section 18.35.080.C.1.</i></p>
BBB	Chapter 18.35.070 (E)(10)(c) Page 133	Shoreline Stabilization	<p>c. <u>The VCA setback established in Table 18.30.B</u> An undisturbed buffer shall be incorporated into the site design <u>managed</u> to allow bank protection plantings to become established for a minimum of three years. The buffer <u>setback</u> shall exclude vehicles and activities that could disturb the site. Pedestrian access to the shoreline may be authorized in accordance with 18.25.100 D.1.b of this Shoreline Program;</p>	<p><i>This change is recommended for clarity; this section/provision does not outline what size this buffer should be, how it should be measured, etc. This change would use an already established concept to avoid future ambiguity.</i></p>