

## SECTION X – SHORELINE MANAGEMENT ELEMENT

### **Purpose / Introduction**

The City of Stanwood recognizes the intent of the voters and the legislature of the state of Washington in adopting the "Shoreline Management Act of 1971" and adopts by reference the finding that the shorelines of the state are among the most valuable and fragile of its natural resources and that there is great concern throughout the state relating to their utilization, protection, restoration, and preservation. In addition it finds that ever increasing pressures of additional uses are being placed on the shorelines necessitating increased coordination in the management and development of the shorelines of the state.

The Act's paramount objectives are to protect and restore the valuable natural resources that shorelines represent and to plan for and foster all "reasonable and appropriate uses" that are dependent upon a waterfront location or that offer opportunities for the public to enjoy the state's shorelines. With this clear mandate, the provisions of the SMA established a planning and regulatory program, which is initiated at the local level under state guidance.

This cooperative effort balances local and state-wide interests in the management and development of shoreline areas. Local governments are required to plan for shoreline development by developing local shoreline master programs (SMPs). They are also required to regulate such development through a shoreline permit system for substantial development projects.

Local government actions are monitored by the State of Washington Department of Ecology (WDOE), which approves new or amended SMPs, reviews substantial development permits, and approves conditional use permits and variances. The master program is essentially a shoreline comprehensive plan with a distinct orientation toward shoreline areas and customized to local circumstances. Collectively, the local master programs comprise the State Shoreline Master Program.

The City developed and adopted its first shoreline master program with the help of a citizen advisory group in 1976. The Master Program was subsequently amended several times during the intervening years. For the current comprehensive update the City has conducted a comprehensive inventory of the natural characteristics, present land uses, and patterns of ownership along the City's shoreline that provides a substantial information base for understanding ecological functions and other considerations for the development of this Master Program update. The City with the involvement of its local citizens, agencies, and interested parties has developed this Shoreline Master Program to serve as both a planning guide and resource for specific regulations pertaining to development and use of the shorelines in Stanwood. Included is a description of the goals, objectives, policies, environments, use regulations, and provisions for variances and conditional uses.

### **Shoreline Goals and Policies**

#### **Goal: Shoreline Use Element**

SH1 Ensure appropriate conservation and development of Stanwood's shorelines by allowing those uses which are water dependent , as well as other development which provides an opportunity for a substantial number of people to enjoy the shorelines. This should be done in a manner which will achieve an orderly balance of shoreline uses that improve the quality of the environment.

#### **Policies**

- SH-1.1 Ensure that all uses and developments are as compatible as possible with the site, the surrounding area and the environment, provide restoration and do not result in a net loss of shoreline ecological functions.
- SH-1.2 Water-dependent and associated water-related uses are the highest priority for shorelines unless protection of the existing natural resource values of such areas precludes such uses.
- SH-1.3 Water-related and water-enjoyment uses that are compatible with ecological protection and restoration objectives are the second highest priority.
- SH-1.4 Limit non-water-oriented uses to those locations where access to the water is not provided or where the non-water-oriented use contributes to the objectives of the Act in providing ecological restoration and public access.
- SH-1.5 Reserve the shoreline areas for uses which allow optimal uses for future generations by recognition and of potential long term benefits to the public, and discouragement of short term gain or convenience.
- SH-1.6 Provide site development performance standards and other appropriate criteria to developers indicating minimal acceptable standards to be achieved.
- SH-1.7 Allow multiple use of shoreline areas where integration of compatible uses or activities is feasible.
- SH-1.8 Shoreline land and water areas which are particularly suited for specific and appropriate uses should be reserved for those uses.
- SH-1.9 Control uses not water dependent which permanently alter the shoreline, conflict with, or preempt other shoreline dependent uses.
- SH-1.10 Allow uses, on a specified interim basis, which are not shoreline related, if not permanent and if not requiring permanent modifications of natural shorelines.

### **Goal Shoreline Economic Development Element**

- SH-2 Give priority to those industrial, commercial and recreational developments that are particularly dependent on their location on Stanwood's shoreline. Encourage development that will provide the public an opportunity to enjoy the shorelines. Minimal disruption of the natural environment is envisioned in the implementation of this goal. Permit expansion of existing industrial uses where necessary and feasible.

### **Policies**

- SH-2.1 Modify the adverse effects of new commercial, industrial and recreational development upon the physical environment and natural processes, through careful siting and design.
- SH-2.2 Locate commercial and industrial development as infill in areas already developed as a first priority so long as such areas have not reached their functional capacity.
- SH-2.3 Locate new commercial, industrial and recreational activities in areas with existing public services as a second priority.
- SH-2.4 Provide maximum flood protection for City of Stanwood.

### **Goal Circulation Element**

- SH-3 Develop safe, convenient and diversified shoreline circulation systems to assure efficient movement of goods and people with minimum disruptions to the shoreline environment and minimum conflict between the different users.

## **Policies**

- SH-3.1 Locate and design major circulation systems well away from the shoreline, except for necessary crossings, so that natural shorelines remain substantially unmodified.
- SH-3.2 Encourage corridors for transportation and utilities when they must cross shorelines.
- SH-3.3 Encourage joint uses of any necessary roads.
- SH-3.4 Encourage alternate modes of transportation such as pedestrian and bicycle to the shoreline.

## **Goal Restoration & Conservation Element**

- SH-4 Assure protection, preservation, and restoration of Stanwood's, fragile and scenic nonrenewable resources, while encouraging the best management practices to assure no net loss of shoreline ecological functions.

## **Policies**

- SH-4.1 Existing natural resources should be conserved through regulatory and non-regulatory means that may include:
- Implementation of the Comprehensive Plan, interlocal watershed plans, local development regulations, and state, tribal, and federal programs;
  - Regulation of development within the shoreline jurisdiction;
  - Ecologically sound design;
  - Restoration programs; and
  - Education programs.
- SH-4.2 Provide for beneficial utilization of shoreline and floodplain related resources without harming other natural systems or the overall quality of the natural environment.
- SH-4.3 Require the best management practices for the sustained yield of replenishable resources.
- SH-4.4 Effectively manage natural features and resources as well as scenic vistas, parkways and habitats of rare or endangered species.
- SH-4-5 Preserve the scenic and aesthetic qualities of shorelines, floodplain and vistas.
- SH-4-6 Provide for restoration of degraded ecological functions both through appropriate regulations for non-water-dependent uses and as part of publicly funded restoration efforts.

## **Goal Public Access Element**

- SH-5 Ensure safe, convenient and diversified access for the public to the publicly owned shorelines of Stanwood and assure that the intrusions created by public access will recognize the rights of private property owners, and will not adversely affect fragile natural areas.

## **Policies**

- SH-5.1 Public access should be provided consistent with the existing character of the shoreline and with consideration of opportunities and constraints for physical and visual access, as well as consideration of ecological functions and public safety.

- SH-5.2 Public access to and along the water's edge should be available throughout publicly owned shoreline areas although direct physical access to the water's edge may be restricted to protect shoreline ecological values.
- SH-5.3 Future residential, commercial, and industrial developments and redevelopments shall not adversely affect existing public access, and should provide new opportunities for the public to reach touch and enjoy the water's edge.
- SH-5.4 Respect and protect the enjoyment of private rights in shoreline property when considering public access development.
- SH-5.5 Locate, design and maintain public access development in a manner that enhances the natural environment.
- SH-5.6 Purchase or otherwise make available to the public, shoreline properties including tide land tracts if their value for public use merits such action.
- SH-5.7 Control and regulate public access to ensure that the ecology of shoreline areas shall not be unduly damaged by public use.

### **Goal Recreational Element**

- SH-6 Provide additional opportunities for diverse forms of recreation for the public and improvement of present facilities.

### **Policies**

- SH-6.1 Identify, obtain, preserve and protect areas with high values for recreation.
- SH-6.2 Allow location, design and operation of recreational uses as part of private development where compatible with other uses and activities.
- SH-6.3 Provide a balanced choice of recreational opportunities, including those requirements of the elderly and the physically challenged.
- SH-6.4 Cultivate innovative and cooperative techniques among public agencies and private persons or groups which increase and diversify recreation opportunities.
- SH-6.5 Allow compatible recreational uses including bicycle and foot paths in transportation and utility corridors where feasible.
- SH-6.6 Located, design and operate recreation facilities in a manner consistent with the purpose of the environment designation in which they are located so that no net loss of shoreline ecological functions or ecosystem-wide processes result.
- SH-6.7 Coordinate with local, state, and federal agencies so that shoreline recreational developments are consistent with the city's Comprehensive Plan and Parks Recreation, Open Space and Trails Plan.

### **Goal Historical / Cultural Element**

- SH-7 Protect, preserve and encourage restoration of those sites and areas on the shoreline which have significant historical, cultural, educational or scientific value.

### **Policies**

- SH-7.1 Identify historic, cultural and archaeological resources within the shoreline in cooperation with federal, state, local and tribal agencies.
- SH-7.2 Preserve permanently for their inherent cultural value and for scientific study as well as public enjoyment observation all areas known to contain significant archaeological data.

- SH-7.3 Preserve for the public benefit, with opportunity for appropriate public utilization, significant historic, scientific, and educational areas of the shoreline.
- SH-7.4 Ensure that the review and construction of development permits includes professional assessment of historic, cultural and archaeological resources and that such resources are preserved or conserved in compliance with applicable laws.

#### **Goal Flood Hazard Element**

- SH-8 To minimize flood hazards to human life and property while enhancing the ecological processes of the shoreline.

#### **Policies**

- SH-8.1 Manage flood protection through implementation of the city's Comprehensive Stormwater Management Plan, Comprehensive Plan, stormwater regulations, and the Snohomish County flood hazard control plans.
- SH-8.2 Protect existing development and restore floodplain and channel migration functions to the extent feasible.
- SH-8.3 Integrate bioengineering and/or soft engineering approaches where feasible into local and regional flood control measures, infrastructure, and related capital improvement projects.
- SH-8.4 Disallow development within the floodplains associated with the city's shorelines that would individually or cumulatively result in an increase to the risk of flood damage.
- SH-8.5 Support measures to increase the natural functions of the Stillaguamish floodplain including flood storage, off-channel habitat, associated wetlands and buffers of native vegetation through levee setbacks and similar programs.

#### **Goal Comprehensive Long Range Planning Element**

- SH-9 Support the integration of other City planning and regulatory efforts with shoreline management activities, especially planning and implementation of plans under the Growth Management Act (GMA). This element reflects changes in state legislation which make SMP policies part of the Comprehensive Plan and SMP regulations part of the City development code.

#### **Goal Educational Element**

- SH-10 Work with the public to increase awareness of the Shoreline Management Act, and the importance of protecting shorelines.

#### **Goal Implementation**

- SH-11 Advance the intent and policy of the Shoreline Management Act of 1971 through a fair, balanced and impartial administration of the shoreline permit process and other legal requirements of the Act.

#### **Policies**

- SH-11.1 Base all official actions relating to shoreline permits upon the goals, policies, environmental designations, use allocations and performance standards contained within the Shoreline Management Act, the Shoreline Master Program and Chapter 17 (Zoning/Unified Development Code) in the Stanwood Municipal Code.
- SH-11.2 Employ the performance standards of the Master Program equitably to ensure the highest degree of shoreline and floodplain protection consistent with the proposed development.

- SH-11.3 Process shoreline permits as expeditiously as the law and analysis review will allow.
- SH-11.4 Seek advice and assistance from recognized experts at federal, state, or local levels whenever technically complex issues are involved in permit activities.
- SH-11.5 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 and the Shoreline Management Act.
- SH-11.6 Approve Conditional Uses when they will further the intent of the Master Program, be compatible with their surroundings, and be regulated to minimize undesirable effects on the shoreline of the city. Conditional Uses shall be approved in strict compliance with the provisions of the Washington Administrative Code and the Shoreline Management Act.
- SH-11.7 Comply with the requirements of the State Environmental Policy Act in processing shoreline permits, when applicable, as a means of thoroughly evaluating the impact or a proposed development on the city's shorelines and thus furthering the intent of the Master Program.
- SH-11.8 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 Stanwood's Master Program.
- SH-11.9 Provide for an eight (8) year review of shoreline uses and their locations as to appropriateness and compatibility with goals and policies.