14City of Bellevue

MEMORANDUM

DATE: April 6, 2009

TO: Parks and Community Service Board

FROM: Michael Paine, Environmental Planning Manager
Heidi Bedwell, Associate Planner, DSD
David Pyle, Senior Planner, DSD

SUBJECT: Informational Update on Shoreline Master Program Update

This memo presents a brief overview of the Shoreline Master Program Update focusing on the key components of the planning process and possible impacts to shoreline jurisdiction within the East Bellevue Community Council area. (The Lake Hills Greenbelt from north of Phantom Lake to Kelsey Creek Shopping Center is the only shoreline area within Community Council jurisdiction and its all in public ownership.) In order to provide the necessary context, we have added more detail to this memo, including a brief history of the Shoreline Management Act of 1971, information about its early implementation in Bellevue and a description of the planning steps required by the Update process. Also included is a detailed description of our public involvement plan along with a summary of our public opinion survey of Bellevue residents. These results encapsulate how Bellevue residents think about shorelines and their access to them and suggests potential policy outcomes that might be supported by citizens.

Staff will return for courtesy hearing in June to answer further update you on our progress.

BACKGROUND

The Shoreline Management Act (SMA) was proposed by the legislature in response to a citizen initiative in 1971 and ratified by Washington voters in 1972. This period proved a heady time for environmental action in the nation and in Washington State, coming as it did on the heels of a national outpouring of environmental concern represented by Earth Day. At the federal level the National Environmental Policy Act (1969), the Clean Water Act (1970), the Coastal Zone Management Act (1972), and the Endangered Species Act (1973) followed in quick succession. Modeled on National Environmental Policy Act, the State Environmental Policy Act (SEPA) was adopted at the state level in 1971, with the SMA coming close behind.

The SMA was a reaction to what the legislature identified as "uncoordinated and piecemeal development" of the state's shorelines occurring without sufficient concern for the resource or the public interest. In response, the legislature insisted that the state refocus the regulation of shoreline development around three broad policy areas: environmental protection, preferred shoreline uses, and the recognition that that waters of the state are a public resource to be enjoyed by all. The implementation of these policy requirements, and the subsequent rules promulgated by the Department of Ecology, was left to local governments via Shoreline Master Programs (SMP jointly adopted by the local jurisdiction and the Department of Ecology. As a result, Ecology had an approval role in the adoption of Bellevue's original SMP and holds approval authority over Bellevue's updated version as well.

A primary focus of the SMA is to protect and restore the valuable and fragile natural resources the state's shorelines represent, while fostering those "reasonable and appropriate uses" that are dependent upon waterfront proximity or that enhance public access or increase recreational opportunities for public enjoyment of the shoreline. As a consequence, the SMA established a priority of uses that emphasized statewide over local interest, preservation of natural character over development, and long-term benefit over short-term gain, while seeking protection for the ecological functions of the shoreline. Lower in the hierarchy came public access, increased recreational opportunities and other forms of appropriate development. Specific development priority was given to single-family residences, ports, shoreline recreational uses, improvements that facilitated public access, and commercial and industrial use for which location on the water was integral to their business operations. (**Note:** the focus on public access gives waterfront and other shoreline parks special status so long as their improvements facilitate public access.)

In addition, the SMA reinvigorated the Public Trust Doctrine that holds that waters of the state are a public resource held in common by citizens broadly for the purposes of navigation, fishing, recreation, and similar uses and that private ownership of the underlying land could not nullify this trust.

Bellevue adopted its SMP in 1974 and it has existed essentially unchanged since. The SMP is contained in the Comprehensive Plan policies under the Shoreline Element and Part 20.25E of the Land Use Code. Bellevue's plan addresses many of the key components of the SMA, with special emphasis on single-family development and public (park) access.

While the regulations contain standards that are generally protective, many key components are missing, including a focus on the biological and physical characteristics of the shoreline. This sort of analysis was supposed to result in a range of environmental designations or "environments," sensitive to the land use and biological characteristics present on that section of shoreline, each with specific regulations to support these characteristics. The idea was that a

mostly undeveloped shoreline with high biological benefit was to have policy and regulation attached to it that would mostly preserve and support those characteristics.

Also missing from the 1974 SMP is a range of land uses other than single-family necessary to support both existing and future commercial uses—marinas and marine businesses are the most common example. These deficits, coupled with out-of-date science and a host of out-of-date references, triggers the need for a significant update, irrespective of the current state mandate.

In 1995, the SMA was substantially amended by the Regulatory Reform Act. The policy objective was to integrate the SMA, SEPA and Growth Management Act. As a consequence, the goals and policies of the SMA were to be considered part of the local government's comprehensive plan. This lead to an effort to

to develop new guidelines which began in earnest in 1996 and resulted in a complicated set of dual track guidelines (Path A and Path B) in 2000, one of which had been blessed by the federal services administrating the Endangered Species Act. The new guidelines were almost immediately appealed and a split Shoreline Hearings Board invalidated the guidelines. A subsequent mediation process, convened by the State, resulted in new guidelines in 2003. Later legislation extended the time period for completing the required update and added state funding to support the effort.

The net effect of the new guidelines is to focus review and amendment of local master programs on using a process to identify, inventory and ensure meaningful understanding of the ecological functions provided by shorelines. Even more important is a focus on "no net loss" of ecological function necessary to sustain shoreline resources. This translates into a policy of avoidance first, mitigation second. Future cumulative impacts must be considered as well. Moreover, there is recognition in the Guidelines that many communities contain degraded shorelines; consequently master programs must include goals and policies that provide for restoration of such impaired ecological functions.

SMP UPDATE PLANNING PROCESS

Bellevue's SMP Update (Update) process consists of four substantive phases and two approval phases, one local and one at the Department of Ecology. The four substantive phases include several primary tasks and multiple subtasks and are divided as follows:

- **Phase 1:** Shoreline jurisdiction, public participation plan, and inventory
- **Phase 2:** Shoreline analysis and characterization
- **Phase 3:** Shoreline environment designation, policy and regulation
- **Phase 4:** Cumulative impacts, restoration planning, revisiting phase 3

Inventory and Analysis

Phase 1 and most of Phase 2 are technical stages conducted by our consultant team using established scientific methodology. The inventory compiled all reasonable and available data regarding the shoreline including land use patterns, utility outfalls, information about critical areas, historic resources, priority habitats, and existing and potential public access sites. The analysis phase then described ecosystem-wide processes and ecological functions for all areas of shoreline jurisdiction through systematic application of landscape ecological principles.

The general idea is to work from the landscape or regional scale down to the reach scale, carefully summarizing the influences of climate, geology, topography, soils, hydrology, land cover type, and land use. The next step is to identify management issues of concern such as those ecological processes that no longer function as they once did due to impacts of urbanization or specific inputs of pollution. To facilitate this analysis, the first step is to classify the shoreline into a number of distinct units or reaches and to detail the various ecological indicators by reach. The final step is roll up, summarize and map the various reach characteristics, giving special attention to those areas needing special protection or that possess opportunity for restoration.

Environment Designations

Phase 3 is the planning step that takes the inventory and ecological characterization developed in Phase 1 and 2 and builds up appropriate environment designations that accurately reflect the character and resources of the shoreline reaches in question. Shoreline environments are named areas that function much like zoning overlays within shoreline jurisdiction in that they reflect existing land use patterns as well as biological and physical characteristics, community aspirations and specific criteria developed by Ecology. Ecology provides a range of environments from Natural, where most functions are intact and protection is stressed, to High Intensity and Shoreline Residential, where uses take precedence over protection.

Policies and Regulations

Environment designations provide the underpinning for the type of uses, policies, and regulations that apply. For example, each SMP is build up of general policies and rules that apply to all environments and a specific set of uses, policies and rules that are tailored to the specific needs of the particular environment in question.

Cumulative Impact Analysis and Restoration Planning

Phase 4 is devoted to long-term cumulative impact analysis and production of a restoration plan. The key objective here is to demonstrate there is no "net loss" of ecological functions based on the proposed provisions of the draft SMP. Such an investigation typically relies on a build-out analysis over a fixed period; the next SMP update is one such interval. Should impacts be revealed, the SMP must be adjusted to eliminate or substantially reduce them. The aim of the restoration planning process is to identify restoration sites where restoration is possible along with outlining policies, objectives, priorities and timelines sufficient to support shoreline restoration until the next update.

Local Adoption

Phase 5 is the local adoption process and includes multiple study sessions before the Planning Commission and the City Council. Included in this phase is a public hearing before the Planning Commission and possibly one before the City Council as well as specific public outreach events. Completion of the SEPA process would also occur early in Phase 5.

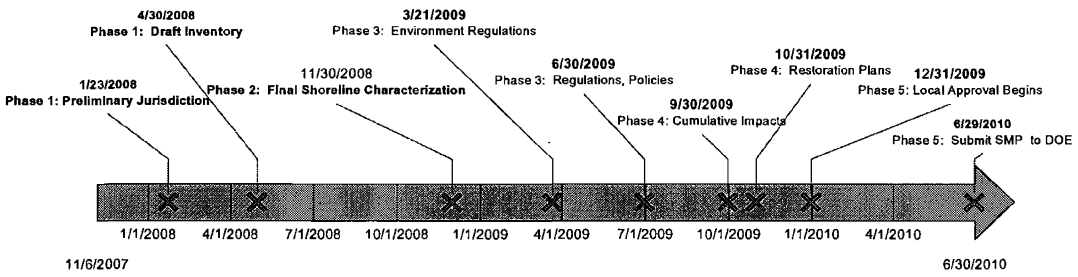
State Adoption

Phase 6 is the state approval process. Generally this is an iterative process in which local government works directly with Ecology staff to address requested changes

Status and Timeline

Phase 1 and 2 are complete and draft documents have been submitted to Ecology. We are not working on Phase 3.

The dates above represent the approximate due days for finishing key phases. The dates in bold type face represent those areas where Planning Commission and public involvement is critical.



PUBLIC PARTICIPATION PLAN

The SMA mandates "reasonable efforts" to inform the public regarding the proposed Update and to actively encourage participation by all persons and groups showing an interest in shoreline management programs. This requirement also applies to federal, tribal, state and local governments that have an interest in the shoreline areas covered by the local Master Program. As a consequence, staff and consultant have developed a robust public involvement effort that ensures the SMP update process is transparent, inclusive, effective and comprehensive. The outreach program is multifaceted and includes the following key components:

Shoreline Tour

In September 2008 we conducted an afternoon boat tour of Bellevue's Lake Washington shoreline. Some 60 or so people heard a detailed presentation on the varied nature of the Lake Washington shoreline and the impact of piers, bulkhead, storm water, invasive vegetation.

Public Opinion Survey:

With the assistance of EMC Research, we conducted a statistically valid telephone survey of approximately 400 residents and 120 shoreline residents, yielding a margin of error of less than five and nine percent respectively. The project team added shoreline property owners as a separate pool in an effort to test differences in attitudes between these residents and the general population. Shoreline property owners comprise roughly seven percent of the sampling universe (voters) in Bellevue and possess different demographics; for example, they are generally more established and older. For both groups, the questions in the survey focused on respondents' overall satisfaction with the City's approach to shorelines, preferred uses of the shoreline, best restoration approaches, and regulations and incentives thought most likely to improve the shoreline environment.

The results of the survey are proving useful in providing staff and the Planning Commission a more precise understanding of public sentiment regarding shoreline issues. This understanding is made more acute by the side-by-side comparison of attitudes of the two populations studied. This additional perspective will also aid staff and the consultant team in preparing appropriate policy options for the Planning Commission to consider.
Some of the key findings revealed in the study are as follows:

- **Overall Satisfaction:** The vast majority of respondents are satisfied with their access to shorelines in Bellevue. At the same time, a significant proportion (roughly 25%) have no opinion on shoreline access.

- **Majority Believe Bellevue Balances SMA Goals**_A strong majority (57%) believe Bellevue maintains a good balance between the three goals of the Shoreline Management Act, while an additional third (32%) think Bellevue has an unequal balance.

- **Majority Give the City Positive Ratings on Shoreline Issues**_A majority of respondents give the City positive ratings for their efforts on a variety of shoreline-related issues including providing public access (61% excellent/good), protecting the shoreline (57%), encouraging people to make the shoreline ecologically healthy (50%), and providing a mix of water oriented uses (50%). In each case, however, at least a quarter (25%) of respondents gave a negative answer (fair/poor).

- **Differing Views on Shoreline Property Owners:**_Respondents citywide and shoreline owners have differing views of the job shoreline owners are doing to make the shoreline ecologically healthy. Only a third (33%) city wide rate this positively, while a strong majority (68%) of shoreline owners give this item (and their performance) a positive rating.

- **Respondents Support City Incentives for Shoreline Landowners:**_An overwhelming majority (78%) say that the City should encourage shoreline landowners to change their docks, bulkheads, and lawns to improve habitat and water quality through incentives and regulations

- **Respondents Oppose Unlimited Dock Size:**_A strong majority disagree (86%) that shoreline owners can have any size dock they want.

- **More Habitat for Fish and Wildlife Always Top Choice:**_In a forced tradeoff between habitat, water dependent or oriented uses, and public access, more habitat for fish and wildlife is always the top choice, followed by public access, and finally more water oriented uses. (**Note:** this conclusion is important because it suggests strong support for restoration of city-owned shorelines, including parks.)

- **Strongest Support for These Restoration Options:** Providing information about environmentally sensitive dock construction (88% support), An incentive program for property owners to restore their shorelines (87%) and Shoreline purchase for restoration and preservation (77%)

- **Voters Support Funding Restoration:** A slim majority (53%) of Bellevue respondents agree that all residents should help fund restoration of shorelines on public and private property.

Formal Focus Group

Qualitative information regarding public opinion was collected by the consultant through a formal focus group. Participants at the session were asked a number of questions about their properties and were tested on their interest in pursuing certain types of restoration alternatives. The focus group yield valuable information about how different groups talk about the issues, what language they use and what reasoning they employ.

Open Houses

In addition to the boat tour, the project team has planned three open houses during the process at specific locations near Lake Washington/Mercer Slough, Lake Sammamish and Phantom Lake. We held a small open house in February and have schedule two open houses for the first and second week in May. These open houses will provide participants with an option to provide feedback instantaneously via electronically supported preference voting on a variety of key questions. There will also be an opportunity to have specific questions answered.

Outreach Activities

The project team will use a wide range of media to communicate project information to the public. This will include advertising in *It's Your City*, notification mailings and emails, and creation of a City website to support the planning effort. Specific personal outreach to affected groups will also be part of the focus.

Blog

The project team is the process of launching a blog to provide a forum for an ongoing conservation about the Update.

ENVIRONMENT DESIGNATION PROCESS

Shoreline environments are designated sub-units that function much like zoning overlays within shoreline jurisdiction in that they reflect existing land use patterns. In addition, they echo biological and physical characteristics, community aspirations and specific criteria developed by Ecology. As a consequence, shoreline environments should reveal different conditions, valuable shoreline resources and restoration opportunities. Taken together, they form the organizing principle for building a master program and provide a system for assigning different standards based on characteristics of different geographic areas. The assignment of an environment designation determines the range of uses that can be permitted so considerable care must be taken to ensure that the designation and proposed uses are compatible. Whatever categories are chosen, they must be in concert with three major goals of the Shoreline Management Act: (1)

protection and restoration of valuable and fragile natural resources (the standard is no-net-loss); (2) fostering of those "reasonable and appropriate uses" that are dependent upon waterfront proximity; and, (3) the enhancement of public access or increased recreational opportunity.

In addition to these broader goals, shoreline environments need to be consistent with corresponding comprehensive plan elements and development regulations.

As suggested above, Bellevue's Master Program, adopted in 1974, contained no specific shoreline environments and thus no specific policies and regulations tied to those environments. The homogenous nature of the shoreline at the time—devoted almost exclusively to residential use—may have dictated the approach. In any case, a more specific approach is required now but with the understanding that the conditions that prompted this initial oversight have not changed dramatically; much of Bellevue's shoreline is still very uniform in character, greatly limiting the number of required environments needed to adequately reflect existing land use patterns and ecological character.

STEPS IN ASSIGNING DESIGNATIONS

As suggested above, the steps to assigning designations rely on a number of concrete steps. The first is to inventory the existing shoreline conditions including the existing land use and zoning. The second involves assessing overall ecological conditions. Variables like vegetation, bulkheads and armoring, number of overwater structures, and development density all factor into the assessment. Third, the segments with similar conditions are identified. Fourth, these conditions are matched with appropriate designation criteria and refined through internal discussions among staff.

Ecology recommends a classification system consisting of six basic categories: *high intensity, shoreline residential, urban conservancy, rural conservancy, natural, and aquatic.* Of these, rural conservancy is not applicable because it simply does not fit the conditions. Similarly, high intensity and natural may have only limited application in Bellevue. That leaves shoreline residential, urban conservancy and aquatic. In applying these designations, Ecology cautions that care be taken to ensure existing ecological functions are protected given the proposed pattern and intensity of development represented by each designation. However, alternative environments based on local conditions are allowed provided they are consistent with the purposes and policies of guidelines (WAC 173-26).

PROPOSED ENVIRONMENT DESIGNATIONS AND POTENTIAL OPTIONS

Based on the Inventory and Analysis, staff recommended to the Planning Commission that three environments from the Ecology list best fit conditions on the Bellevue shoreline. In addition, we

have suggested to the Planning Commission that it look at placing alternative designations on some properties so as to better reflect special circumstances on Bellevue's shoreline. Those from the standard Ecology classification include: *aquatic, urban conservancy, and shoreline residential.* These three apply to the vast majority of Bellevue's shoreline and public shoreline and wetlands within shoreline jurisdiction. The opportunities for alternative classifications could include*: Meydenbauer Bay Park, Meydenbauer Bay multi-family, marina locations, and Bellefield Office Park*

The *aquatic* environment is typically applied to shoreline areas waterward of the ordinary high-water mark. This is a mandatory designation and we will adopt it for these areas.

The *urban conservancy* environment designation is recommended for areas within public and private parks and natural resource areas, including lands planned for park uses or resource conservation areas. Obvious examples include Lake Washington park properties like Chism Beach Park and Newcastle Beach Park, Mercer Slough Nature Park and Lake Hills' wetlands. This designation is also appropriate for large blocks of undeveloped private land where development can occur without severe disruption to existing ecological processes or where restoration opportunities are unusually high. Agricultural lands are also appropriately designated *urban conservancy.* Its focus is to retain important ecological functions, even if partially altered. It includes features that could be harmed easily by more intensive development. Lands designated in this manner are compatible with ecological restoration, especially in an urbanized setting.

An alternative environment, at least for some of Bellevue's park land, is *Natural.* This designation is generally reserved for land that is essentially ecologically intact and performing important, irreplaceable functions or ecosystem processes that would be damaged by human activity. It is arguable that some of Bellevue's ownership, particularly the Mercer Slough Nature Park, would be better protected using this Environment Designation. However, such a designation might impinge on current and future park uses and existing agricultural uses. We think a better option would to be divide the *Urban Conservancy* environment into two separate designations, with *Urban Conservancy—Low Intensity* being reserved for less intensive park uses like Mercer Slough Nature Park, Lake Hills and perhaps parts of Newcastle Beach Park, and *Urban Conservancy* being reserved for parks where public access and shoreline use and recreation take priority. We believe such a dual designation could encompass all of the existing and future parks uses in the system.

The *shoreline residential* environment is characterized by single-family or multi-family residential development or areas planned for residential development. Generally these are areas where ecological processes and functions are impinged by the level of development and thus

could not meet the criteria for *urban conservancy*. There is no shoreline in this designation within the Community Council area.

IMPACT OF SHORELINE UPDATE ON PARK USES AND OPERATIONS

Under current code, city parks are generally permitted in all zones but certain uses or facilities in single-family or R-10 (multifamily) zones required conditional use approval. These include lighted sports fields and playfields with amplified sound, community recreation centers, motorized boat ramps, and beach parks in all zones outside the Downtown. Any commercial, social service or residential use not functionally related to City park programs and activities also requires conditional use approval. However, if these uses are considered "functionally related" than they are permitted as part of the park use. This means that park use is defined rather expansively to include any use for which an argument can be made that the use in question enhances or amplifies the existing parks use. In this way, justification might be made for commercial uses like restaurants or coffee carts so long as the use supports the overall park use.

The current shoreline overlay has very little impact on allowed uses since uses allowed in the shoreline are controlled by the underlying zoning charts in the Land Use Code. Instead its focus is on specific shoreline policies, regulations, performance standards and permitting requirements. Certain activities like building a dock or bulkhead are subject to specific rules and performance standards with the object of better protecting the shoreline functions and habitat.

Impacts of the Update

A key difference that will result from the introduction of shoreline environments to Bellevue's SMA is the prioritization of uses based on whether the proposed use is water-dependent, water-enjoyment, or water-related in character. A water-dependent use is one that cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations. Examples would include swimming, marinas, ferry terminals, fishing and ports.

A water-enjoyment use is a recreational use or other use that facilitates public access to the shoreline as a primary characteristic of the use. In order to qualify as a water-enjoyment use, the use must be open to the general public and the shoreline-oriented space within the project must be devoted to the specific aspects of the use that fosters shoreline enjoyment. Such uses may include: parks, docks, trails and other improvements that facilitate public access to shorelines, restaurants with water views and public access improvements, scientific/ecological reserves, resorts with uses open to the public and providing public access to the shoreline, or any combination of the uses listed above.

A water-related use is a use or a portion of a use which is not intrinsically dependent on a waterfront location but whose economic viability is dependent upon a waterfront location due to

a functional requirement for a waterfront location or need to provide a service supportive of a water-dependent uses and proximity reduces costs or improves convenience.

As one can see from this discussion, most parks uses fit easily within the first two categories. Shoreline parks or parks sited in natural areas in shoreline wetlands (Mercer Slough and Lake Hills Greenbelt) are appropriately dedicated to the kind of recreational activities that the SMA sets as a priority uses.

Impacts of Urban Conservancy and Urban Conservancy—Low Intensity

While this prioritization of uses leads to some uses being excluded from some shoreline environments, the number of allowed uses may be further restricted by underlying purpose of the designation since it has ostensibly been selected to protect the underlying ecological health of the shoreline unit on which it is placed. For example, the purpose of *urban conservancy* or *urban conservancy—low intensity* is to protect and restore ecological functions of open space, floodplain, and other sensitive lands while allowing a variety of compatible uses, including public access. This leads to prohibiting some nonwater-oriented uses. For example, the location of most sports fields and supporting parking and other facilities would generally not qualify as appropriate given that the use is not a priority use for this shoreline environment. Similarly, marina use would not be a clear choice in an area designated urban conservancy for obvious reasons. That said, limited boating facilities might be allowed outright while the more intensive marina use could be permitted under *urban conservancy* via conditional use approval only but prohibited in the more protective *urban conservancy—low intensity designation.* In a similar vein transportation and utility corridors might not be a first choice but would be allow where no feasible alternative exists. For other potential uses, please see the attached draft use matrix.

Meydenbauer Bay Park

Meydenbauer Bay is a major focus for increasing Bellevue's access to the waterfront. Years of patient acquisition have resulted in sufficient property on the water to entertain the goal of building a regionally significant park and waterfront destination connected to Bellevue's Downtown. Significantly, the Inventory and Analysis identified the area containing the proposed park as demonstrating a range of ecological function ranging from moderate/low on the northwest end to low at the marina end. This suggests that two environments might be appropriate; one to reflect more positive functional situation and to encourage restoration (*urban conservancy*); with a second tailored to the lower function associated with the marina and hardened shoreline (*marina* or *civic marina* to recognize the unique combination of uses). An alternative approach might be to adopt a single designation containing unique management recommendations but we believe this needless complicates the issue while diluting the meaning of urban conservancy.

In addition to the City's marina in Meydenbauer Bay, there are three other marinas or yacht clubs on the Lake Washington. There ability to operate with the full range of typical marina uses or to expand is significantly compromised by their status as "de-facto" conditional uses in residential zones. A specific *marina* environment with a specialized set of permitted uses and performance standards might rationalize these areas and encourage additional investment and higher standards of environmental performance. Alternatively, these marinas could be incorporated into the *shoreline residential* designation as a conditional use as they are currently.

Impact of New Shoreline Policies and Regulations

Since the City adopted new critical areas regulations in 2006, the Parks Department has been operating successfully despite the numerous restrictions these regulations place on shoreline activities like dock and bulkhead construction. In other words, the Department has already adapted to the most onerous regulations that typically come out of updated Shoreline Master Programs. Since these same regulations will be included with only minor changes in the new Master Program, we see little risk or additional regulatory burden to Parks Department programs and operations from the Update.

Impacts of Restoration

The aim of the required restoration planning process is to identify restoration sites where restoration is possible along with outlining policies, objectives, priorities and timelines sufficient to support shoreline restoration until the next update. Since each updated SMP must contain a restoration plan, it is inevitable that parks property will become a likely focus of community sponsored restoration.. This is especially true given that the shoreline parks rate reasonably well ecologically but generally possess hardened shorelines with high restoration opportunity. These facts, combined with the prominence City residents give to restoring the shoreline, suggest that Parks could see a demand for restoration that might exceed existing resources, or that might marginally affect existing site layout or operations. On balance, however, we believe restoring shorelines will prove to be a net benefit to Parks, increasing their ecological function and habitat value while improving citizens appreciation of them.

Summary

On balance, DSD staff do not believe adoption of an updated SMP will have a significant new impact on the operation of the Lake Hills Greenbelt. The permitting requirements, policies and regulations governing activities that might occur on the shoreline will likely be very similar to those in effect now. The introduction of shoreline environments will add complexity but should not interfere significantly with City operations or plans for the future. The identification of city-owned shorelines as suitable for restoration and the adoption of policies encouraging restoration

will likely increase demand for restoration and may temporarily strain resources of the Parks Department as it adjusts to this new expectation, but restoration may spark citizen interest and participation while increasing shoreline ecological function and habitat value.

Attachments:

1) Use Matrix

BELLEVUE SMP

Shoreline Use Matrix

First Draft – March 12, 2009

All uses are also subject to other provisions in this SMP.

SHORELINE USE	Marina Civic	Marina Neighborhood	Urban Conservancy -	Urban Conservancy low intensity	Urban Conservancy - Bellefield -	Shoreline Residential – Single Family	Shoreline Residential- - Multi-family	Aquatic
Agriculture	X	X	P(?)	X(?)	X	X	X	X
Aquaculture	X	X	X	X	X	X	X	X
Boating facilities (excluding marinas)	P	P	P	X	P	P	P	P[1]
Marinas	P	P	C	X	X	X	P	P[1]
Commercial:								
Water-dependent (E.g.: boat repair and sales)	P	P	P[2]	X	X	X	X	P[1(?)]
Water-related, water-enjoyment (E.g.: restaurants with water view, shops oriented to water as an amenity)	P	P	P[2]	X	X	X	X	X
Nonwater-oriented (Offices, businesses that do not benefit from or take advantage of a water location)	X	X	X	X	C	X	X	X
Flood hazard management	P	P	P	C	P	P	P	C
Forest practices *(may not need this)*	X	X	X	X	X	X	X	X
Industrial:				X				
Water-dependent (E.g.: Port related commerce)	X	X	X	X	X	X	X	X
Water-related, (E.g.: Manufacture of large ship parts)	X	X	X	X	X	X	X	X
Nonwater-oriented (E.g.: general warehousing)	X	X	X	X	X	X	X	X
Mining	X	X	X	X	X	X	X	X
Parking (accessory – supporting an allowed shoreline use)	P[3]	P[3]	P[3]	X	P[3]	P	P[3]	X
Parking (primary, including paid)	X	X	X	X	X	X	X	X

SHORELINE USE	Marina Civic	Marina Neighborhood	Urban Conservancy -	Urban Conservancy low intensity	Urban Conservancy - Bellefield -	Shoreline Residential – Single Family	Shoreline Residential- - Multi-family	Aquatic
Recreation:								
Water-dependent (E.g.: Fishing, swimming, pleasure boating)	P	P	P	P	P	P	P	P
Water-enjoyment (E.g.: Picnicking, trails, nature viewing)	P	P	P	P	P	P	P	X
Nonwater-oriented (E.g.: sports fields)	X	P[4]	P[4]	X	C[4]	P	P	X
Single-family residential	X	X	X	X	X	P	P	X
Multifamily residential	P[5]	X	X	X	X	X	P	X
Land subdivision (E.g.: subdivisions or short plats)	P	P	P[6]	X	P[6]	P	P	X
Signs:								
On premises	P	P	P[7]	X	C	X	X	X
Off premise	X	X	X	X	X	X	X	X
Public, highway	P	P	P	X	P	X	X	X
Solid waste disposal	X	X	X	X	X	X	X	X
Transportation:								
Water-dependent	P	P	P	P	X	X	X	P[1]
Nonwater-oriented	P[8]	P[8]	C[8]	X	C[8]	P[8]	P[8]	C[8]
Roads, railroads	C[8]	P[8]	P[8]	C	P[8]	P[8]	P[8]	C[8]
Utilities (primary)	P[8]	P[8]	P[8]	C	P[8]	P[8]	P[8]	C[8]

Use Matrix Notes:

1. *Allowed if allowed in the adjacent upland environment.*
2. *Park concessions and uses that enhance the opportunity to enjoy publicly accessible shorelines may be allowed as an auxiliary use.*
3. *Accessory parking is allowed in shoreline jurisdiction only if there is no other feasible option, as determined by the City. Structured parking under the primary structure may be allowed.*
4. *Passive activities that require little development with no significant adverse impacts may be allowed.*
5. *On upper floors of a mixed-use project only.*
6. *Land division may be allowed where the City determines that it is for a public purpose.*
7. *Signs may be allowed for public facilities only.*
8. *Roadways and public utilities may be allowed if there is no other feasible alternative, as determined by the City, and all adverse impacts are mitigated.*

Definitions:

Water-dependent use. A use or a portion of a use which cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations. Examples of water-dependent uses may include fishing, boat launching, swimming, and storm water discharges.

Water-enjoyment use. A recreational use or other use that facilitates public access to the shoreline as a primary characteristic of the use; or a use that provides for recreational use or aesthetic enjoyment of the shoreline for a substantial number of people as a general characteristic of the use and which through location, design, and operation ensures the public's ability to enjoy the physical and aesthetic qualities of the shoreline. In order to qualify as a water-enjoyment use, the use must be open to the general public and the shoreline-oriented space within the project must be devoted to the specific aspects of the use that fosters shoreline enjoyment. Primary water-enjoyment uses may include, but are not limited to:

- Parks with activities enhanced by proximity to the water.
- Docks, trails, and other improvements that facilitate public access to shorelines of the state.
- Restaurants with water views and public access improvements.
- Museums with an orientation to shoreline topics.
- Scientific/ecological reserves.
- Resorts with uses open to the public and public access to the shoreline; and any combination of those uses listed above.

Water-oriented use. A use that is water-dependent, water-related, or water-enjoyment, or a combination of such uses.

Water-related use. A use or portion of a use which is not intrinsically dependent on a waterfront location but whose economic viability is dependent upon a waterfront location because:

(a) The use has a functional requirement for a waterfront location such as the arrival or shipment of materials by water or the need for large quantities of water; or

(b) The use provides a necessary service supportive of the water-dependent uses and the proximity of the use to its customers makes its services less expensive and/or more convenient.