

## 20.25E.020 Shoreline Uses Described.

### A. Shoreline Use Preferences.

Comment [ch1]: RCW 90.58.020, WAC 173-26-176, 173-26-181

It is the intent of the Bellevue SMP to manage the use and development of Bellevue's shorelines consistent with the legislature's priorities established for shorelines of statewide significance and the shoreline use preferences both described in RCW 90.58.020. The shoreline uses allowed in Bellevue pursuant to LUC 20.25E.030 (Shoreline Use Charts) help to achieve the legislative objectives by giving preference to specific uses on shorelines of statewide significance, uses which are consistent with control of pollution and prevention of damage to the natural environment, and uses that are unique to or dependent upon use of the state's shoreline as described below.

1. For uses on shorelines of statewide significance, the use preferences in LUC 20.25E.010.F were applied.
2. For uses that require alteration of the natural condition of the shorelines of the state, in those limited conditions when alteration is authorized, priority was given for:
  - a. Single-family residences and their appurtenant structures;
  - b. Shoreline recreational uses, including but not limited to parks, marinas, piers, and other improvements facilitating public access to shorelines;
  - c. Commercial development that is particularly dependant on its location on or use of the shorelines; and,
  - d. Other development that will provide an opportunity for substantial numbers of the people to enjoy the shoreline.

### B. Applicability of the Use Charts.

Comment [ch2]: Modeled after Bel-Red approach in LUC 20.25D.070.

The Shoreline Use Charts contained in LUC 20.25E.030 apply in the Shoreline Overlay District. The uses and activities contained in LUC 20.25H.055 (Critical Areas Overlay District) may also be undertaken in the Shoreline Overlay District when located in critical areas identified pursuant to LUC 20.25H.030. The Land Use Charts contained in LUC 20.10.440 do not apply in the Shoreline Overlay District.

### C. Use Chart Interpretation.

Comment [ch3]: Modeled after LUC 20.10.400

1. In Chart 20.25E.030, shoreline use classifications are listed on the vertical axis. City of Bellevue shoreline environments are listed on the horizontal axis.

The use chart description and interpretation provisions of LUC 20.10.400 and 20.10.420 do not apply in the shoreline environments.

- a. If the symbol "X" appears in the box at the intersection of the column and the row, the use is not allowed in that shoreline environment.
- b. If the symbol "P" appears in the box at the intersection of the column and the row, the use is permitted subject to the applicable provisions of the Bellevue SMP, and to Shoreline Substantial Development Permit provisions contained in LUC 20.25E.120 (Shoreline Process II), 20.25E.160 (Shoreline Substantial Development Permits) and 20.25E.170 (Letters of Exemption).
- c. If the symbol "C" appears in the box at the intersection of the column and the row, the use is permitted subject to the Shoreline Conditional Use Permit provisions contained in LUC 20.25E.110 (Shoreline Process I) and 20.25E.180 (Shoreline Conditional Use Permits), in addition to any applicable provisions of the Bellevue SMP.
- d. If a number appears in the box at the intersection of the column and the row, the use is permitted through the applicable review process and subject to the special limitations indicated in the corresponding Notes. Numbers appearing in the Land Use Classification column apply to the entire row.

2. Interpretation of Shoreline Use Charts by Director

- a. Director's Authority. In the case of a question as to the inclusion or exclusion of a particular proposed use in a particular use category, the Director shall have the authority to make the final determination. The Director shall make the determination according to the characteristics of the operation of the proposed use and based upon the Director's interpretation of the Standard Land Use Coding Manual, the Standard Industrial Classification Manual and the North American Industry Classification System.
- b. Appeal. An applicant may appeal the final decision of the Director provided pursuant to paragraph 2.a of this section by requesting an interpretation of the use charts contained in LUC 20.25E.030 relating to the inclusion or exclusion of a proposed use. This request for interpretation of the Land Use Code charts will be processed pursuant to Part 20.30K LUC.

**Comment [ch4]:** Modeled after general amendments made to LUC 20.10.420 as part of the Bel-Red project.

**D. Prohibited Uses in the Shoreline Jurisdiction**

Comment [ch5]: WAC 173-27-160

1. General. Uses identified under paragraph D.2 of this section are specifically prohibited in all shoreline environments. Prohibited shoreline uses or activities shall not be authorized through a shoreline variance, shoreline conditional use permit, or other permit or approval.

2. Prohibited Uses in all shoreline environments. The following uses and activities are prohibited:

- a. Mining, quarrying (including Sand and Gravel), oil and gas extraction. Standard Land Use Code reference number 85.
- b. Forestry. Standard LUC reference number 83.
- c. Manufacturing. Standard LUC reference numbers 2 and 3.
- d. Solid waste disposal. Standard LUC reference number 485.
- e. Governmental services (Standard LUC reference numbers 671, 672, and 673) and limited governmental services.
- f. Military and correctional Institutions (Standard LUC reference numbers 674 and 675) and secure community transition facilities.
- g. Educational institutions, including primary, secondary, universities, colleges, and special schools (Standard LUC reference numbers 681, 682 and 683), except as noted in the Shoreline Use Chart – Services, Note 2.

3. If a use is not listed as a Land Use Classification in the Shoreline Use Charts contained in LUC 20.25E.030, then the use is prohibited.