

memorandum

date April 10, 2008

to Maren Van Nostrand, Susan Cezar, Rob Garwood, and Kamuron Gurol

from Margaret Clancy

subject Sammamish SMP Update - Information on Proposed Environment Designations for the April 17 Planning Commission Meeting

The State Shoreline Guidelines (WAC 173-26) require that local master programs “*contain a system to classify shoreline areas into specific environment designations. This classification system shall be based on the existing use pattern, the biological and physical character of the shoreline, and the goals and aspirations of the community as expressed through comprehensive plans as well as the criteria in this section. Each master program's classification system shall be consistent with that described in WAC 173-26-211 (4) and (5) unless the alternative proposed provides equal or better implementation of the act.*”

The guidelines clearly set forth the four principal factors to be considered in applying environment designations:

1. Existing use
2. Biological and physical character
3. Comprehensive plan goals
4. The State’s designation criteria

The classification system described in WAC 173-26-211 (4) and (5) contains six designations;

1. Aquatic (A)
2. Natural (N)
3. Urban Conservancy (UC)
4. Rural Conservancy (RC)
5. Shoreline Residential (SR)
6. High Intensity (HI)

Of these, three designations appear to fit the majority of Sammamish’s shorelines: Natural, Urban Conservancy, and Shoreline Residential.¹ This current proposal is slightly different from the designation menu contained in the City’s Preliminary Review Draft SMP (June 2007), which was reviewed by the Planning Commission and submitted to Ecology for comment. The current proposal is to omit the use of the Aquatic designation for areas waterward of the ordinary high water mark and to add a Natural designation for the Beaver Lake Preserve and Park. The Aquatic designation is helpful in jurisdictions that have multiple types of waterbodies (marine, river and lake) and multiple types of in-water or water-dependent uses. This is not the case in Sammamish, and staff and consultants feel that we can adequately regulate and manage the Aquatic areas via

¹ The process of deriving the designation list has to date involved: completing the shoreline inventory and characterization, reviewing the WAC requirements, reviewing oblique photographs of each shore segment, and reviewing accessor’s data.

the policies and regulations for the adjacent uplands (as is currently the case under the existing SMP- Title 25). So, after substantial consideration, we are recommending omitting the Aquatic designation from the designation Menu.

We are recommending adding a Natural designation to the shoreline property at Beaver Lake Preserve and Park because the existing and planned uses for that area are consistent with the Natural designation criteria outlined in the Ecology Guidelines.

In summary, we proposed to replace the City’s existing designation system (inherited from King County prior to the City’s incorporation) with the following:

Proposed Menu of Shoreline Environment Designations (SEDs) – Purpose and Designation Criteria

| Designation | Purpose | Criteria |
|------------------------------|---|--|
| Urban Conservancy | The purpose of the "Urban Conservancy" environment is to protect and restore ecological functions of open space, flood plain or habitat, while allowing a variety of compatible uses. | Areas designated as Urban Conservancy should be areas that are appropriate and planned for low intensity development that is compatible with maintaining or restoring ecological functions. This designation is appropriate where any of the following characteristics apply: <ul style="list-style-type: none"> The shoreline retains important ecological functions, even though it is partially altered; or The shoreline is suitable for a combination of water-related or water-enjoyment uses, or uses that allow substantial numbers of people to enjoy the shoreline; or The shoreline includes open space, flood plain, valuable habitat or sensitive features that could be harmed by intensive development; or Future development of the shoreline can be compatible with ecological restoration. |
| Shoreline Residential | The purpose of the "Shoreline Residential" environment is to accommodate residential development and appurtenant structures that are consistent with this Program. | The Shoreline Residential environment designation is appropriate for those areas that do not meet the criteria for Urban Conservancy and that are characterized by single-family or multifamily residential development or are planned and platted for residential development. |

| Designation | Purpose | Criteria |
|----------------|---|--|
| Natural | The purpose of the "Natural" environment is to protect those shoreline areas that are relatively free of human influence or that include intact or minimally degraded shoreline functions intolerant of human use. These systems require that only very low intensity uses be allowed in order to maintain the ecological functions and ecosystem-wide processes. | A "natural" environment designation is assigned to shoreline areas that are ecologically intact and therefore currently performing an important, irreplaceable function or ecosystem-wide process that would be damaged by human activity; shorelines that represent ecosystems and geologic types that are of particular scientific and educational interest; or shorelines that are unable to support new development or uses without significant adverse impacts to ecological functions or risk to human safety. |

The table below provides an initial overview of how those proposed designation might compare to the existing designations. The draft standards shown in the table are preliminary and in some cases represent a revision to what was originally included in the June 2007 SMP draft. We intend to bring each of these issues (buffers, dock dimensions, allowed uses, minimum lot size, etc.) to the Planning Commission for review and discussion over the next few months. That said, nothing in this table should be construed as a forgone conclusion or final decision.

Existing and Proposed Environment Designations – DRAFT Comparison of Key Issues

| | | Setbacks & CAO Buffers* | Shoreline Modifications* | Allowed Uses | Lot Coverage | Infrastructure (roads, utilities) | Accessory Structures | Subdivision |
|----------------------|--------------------|---|--|---|---|--|---|--|
| Existing SEDs | Conservancy | <ul style="list-style-type: none"> • SMP setback: SFD = 50 ft. • CAO buffer: Lake Sammamish = 45 ft plus 5 ft setback, can reduce to 15 ft with mitigation; Pine and Beaver Lakes = No buffer required but 50 ft building setback and 25% tree retention. | <ul style="list-style-type: none"> • Residential Docks: permitted with demonstrated need and at least 50 ft of waterfront; total sq ft for all piers, docks and floats may not exceed 600 SF (150 SF for individual floats), except may not be within 200 feet of another dock. • Recreational Piers: permitted, up to 120 ft in length and 1,350 sq ft surface area. • Shoreline protection: permitted, however must be shown to be necessary (breakwaters not permitted). | <p>Allowed uses include:</p> <ul style="list-style-type: none"> • Single family residential (multi-family only permitted under clustering provisions). • Recreational uses. | Clearing for recreational uses allowed up to 25% of lot area. | Utilities: permitted | Allowed for residential development w/in shoreline setback, max coverage of 150 sq ft and max height of 8 ft. | Min lot size = 5 acres, can reduce to 40,000 sq ft if all lots have 150 ft minimum width and public sewer and water. |
| | Rural | <ul style="list-style-type: none"> • SMP setback: SFD = 20 ft feet, MFD = 75ft • CAO buffer: Lake Sammamish = same as Conservancy. Pine and Beaver Lakes = no buffer required but 50 ft building setback and 25% tree retention. | <p>Accessory to SFD:</p> <ul style="list-style-type: none"> • Docks: permitted with demonstrated need and at least 50 ft of waterfront; total sq ft for all piers, docks and floats may not exceed 600 sq ft (150 sq ft for individual floats). • Covered Moorage: canopy up to 25 x 15 ft allowed for lifts. • Piers: permitted, no more than 80 ft waterward of OHWM (or 13 ft water depth, whichever is closer). • Launch Ramps/Lifts: permitted, can extend up to 60 ft waterward of OHWM and up to 8 ft depth. • Shoreline protection: permitted, however must be shown to be necessary (breakwaters not permitted). <p>Recreational Docks, Piers, Floats, Launches - Not subject to specific size limits.</p> | <p>Allowed uses include:</p> <ul style="list-style-type: none"> • Residential (SFD and MFD) • Recreational uses. | No SMA specific requirements. | Utilities: permitted | Same as Conservancy. | Min lot size = 5 acres, can reduce to 20,000 sq ft if all lots have 100 ft minimum width, paved streets, and public sewer and water; can be reduced to 12,000 sq ft if all lots have 80 ft minimum width, paved streets, and public sewer and water. |

* SFD – single family development; MFD – multi family development; CAO – Critical Areas Ordinance (SMC 21A.50); OHWM – Ordinary high water mark

Existing and Proposed Environment Designations – DRAFT Comparison of Key Issues

| | Setbacks & CAO Buffers* | Shoreline Modifications* | Allowed Uses | Lot Coverage | Infrastructure (roads, utilities) | Accessory Structures | Subdivision |
|--|---|--|---|--|--|---|--------------------|
| <p>Proposed SEDs*</p> <p>Urban Conservancy</p> | <p>SMP/CAO buffer: Lake Sammamish = 45 ft plus 5 ft setback (no change from current CAO); Pine & Beaver Lakes = 45 ft buffer with 5 ft setback.</p> | <p>Accessory to SFD – Lake Sammamish:</p> <ul style="list-style-type: none"> • Docks: length limited to average of the length of the 2 nearest docks on either side. • New standards for open grating, pile spacing, etc. • Covered Moorage: prohibited. • Launch Ramps/Lifts: prohibited. • Shoreline protection: bioengineered shore stabilization only, structural bulkheads prohibited. <p>Accessory to SFD – Pine and Beaver Lakes:</p> <ul style="list-style-type: none"> • Docks: length limited to average of the length of the 2 nearest docks on either side. • Covered Moorage: prohibited. • Launch Ramps/Lifts: prohibited. • Shoreline protection: bioengineered shore stabilization only, structural bulkheads prohibited. <p>Accessory to Public Parks – Lake Sammamish:</p> <ul style="list-style-type: none"> • Docks: permitted; total SF to be determined with input from Parks. • Covered Moorage: prohibited. • Launch Ramps: permitted, for launching small, non-motorized craft. • Boat Lifts: prohibited. • Shoreline protection: bioengineered shore stabilization only, structural bulkheads prohibited. <p>Accessory to Public Parks – Pine and Beaver Lakes:</p> <ul style="list-style-type: none"> • Docks: One public access dock allowed on each lake equal to the existing dock size. • Covered Moorage: Prohibited. • Launch Ramps and Lifts: No new launch ramps. | <p>Allowed uses include:</p> <ul style="list-style-type: none"> • Single family residential on lots that meet minimum lot size. • No MFD allowed. • Recreational uses, including accessory structures. | <p>Lake Sammamish –</p> <ul style="list-style-type: none"> • Up to 25 percent, or no less than 15 ft, of the lake frontage may be used for shoreline access (per CAO). • Impervious surface – To be determined <p>Pine and Beaver Lakes –</p> <ul style="list-style-type: none"> • At least 80% tree retention. • Impervious surface – To be determined. | <p>Roads / Utilities: permitted when no other feasible alternatives.</p> | <p>Mainly allowed outside of buffers. Small structures permitted within buffer if they have water-oriented use and/or if no alternative location.</p> | <p>Prohibited.</p> |

Existing and Proposed Environment Designations – DRAFT Comparison of Key Issues

| | Setbacks & CAO Buffers* | Shoreline Modifications* | Allowed Uses | Lot Coverage | Infrastructure (roads, utilities) | Accessory Structures | Subdivision |
|------------------------------|--|--|---|---|--|---|---|
| Shoreline Residential | SMP/CAO buffer: Lake Sammamish = 45 ft plus 5 ft setback (no change from current CAO); Pine & Beaver Lakes = 45 ft buffer with 5 ft setback. | Accessory to SFD – Lake Sammamish: <ul style="list-style-type: none"> • Docks: length limited to average of the length of the 2 nearest docks on either side. Minimum spacing between docks 200 ft. • New standards for open grating, pile spacing, etc. • Covered Moorage: prohibited. • Launch Ramps/Lifts: prohibited. • Shoreline protection: bioengineered shore stabilization only, structural bulkheads prohibited. Accessory to SFD – Pine and Beaver Lakes: <ul style="list-style-type: none"> • Docks: length limited to average of the length of the 2 nearest docks on either side. • Covered Moorage: prohibited. • Launch Ramps/Lifts: prohibited. • Shoreline protection: bioengineered shore stabilization only, structural bulkheads prohibited. | Allowed uses include: <ul style="list-style-type: none"> • Single family residential, if minimum lot size is met. • Multi-family may be permitted under clustering provisions. • Recreational uses. | Lake Sammamish – <ul style="list-style-type: none"> • Open space and impervious surface - TDB. • Up to 25 percent, or no less than 15 ft, of the lake frontage may be used for shoreline access (per CAO). Pine and Beaver Lakes – <ul style="list-style-type: none"> • Open space and impervious surface - TDB. • Up to 15 percent, or 200 SF of the lake frontage may be used for shoreline access. | Roads / Utilities: permitted when no other citing is feasible. | Mainly allowed outside of buffers. Small structures permitted within buffer if they have water-oriented use and/or if no alternative location.. | Per current zoning and SMP standards for Rural environment. |
| Natural | 100 feet | <ul style="list-style-type: none"> • Docks: one small, public access dock for paddle craft. • Shoreline protection: prohibited | Allowed uses include: <ul style="list-style-type: none"> • Limited low-intensity, water-oriented recreational uses | No clearing for impervious coverage; no more than 10% of property may be cleared for low-intensity recreational uses. | Prohibited, except utilities for essential facilities. | Small water-related structures allowed. | Prohibited. |

Notes:

- See maps dated January 16, 2008 for proposed locations of each SED. Urban Conservancy is proposed on the north end of Lake Sammamish, at Pine Lake Park and the wetland area at the southwest corner of Pine Lake, and along the north shore of Beaver Lake No. 1 adjacent to Beaver Lake Preserve. Other areas are proposed as Shoreline Residential. The Natural designation is proposed for the Beaver Lake Preserve shoreline area.

- Table shows recommended changes between existing and proposed SMP standards. Additional details will be provided to the Planning Commission and public for discussion and review at meetings.
- DRAFT Regulations summarized in the table are based on state guidelines, ongoing discussions with City of Sammamish staff, and public input.
- Recommended prohibition on bulkheads is in response to WAC 173-26, which requires use of bioengineered shore stabilization unless a primary structure is in imminent danger of erosion caused by wind or waves.
- Prohibitions on covered moorage, boat lifts and launches on Lake Sammamish is a recommendation given the cumulative effects of existing shoreline development and intensive levels of shoreline modification. On Pine and Beaver Lakes, covered moorage seems unnecessary given existing restrictions on motorized watercraft.
- Prohibition on Subdivision in the Urban Conservancy designation is a recommendation given that existing development on these lakes is already high. There are relatively few subdividable lots remaining. This would only apply to those portions of a lot within shoreline jurisdiction.
- Open space and impervious surface percentages are recommendations to avoid and minimize impacts of new development.
- Prohibited modifications/uses are not allowed and may not be granted through a variance permit.
- Table only includes uses that are currently allowed in the City's shoreline areas under current zoning. Commercial uses, forest practices and industrial uses are addressed in the City's existing shoreline regulations, but are not allowed in any of the shoreline areas under current zoning.

Wetlands depicted are based on existing inventory data. Presence, location, extent and degree of association with the lakeshore must be determined based on site-specific investigation. Wetlands immediately adjacent or physically connected to the lake are assumed to be associated with the lake and regulated as Shorelands per RCW 90.58.030.



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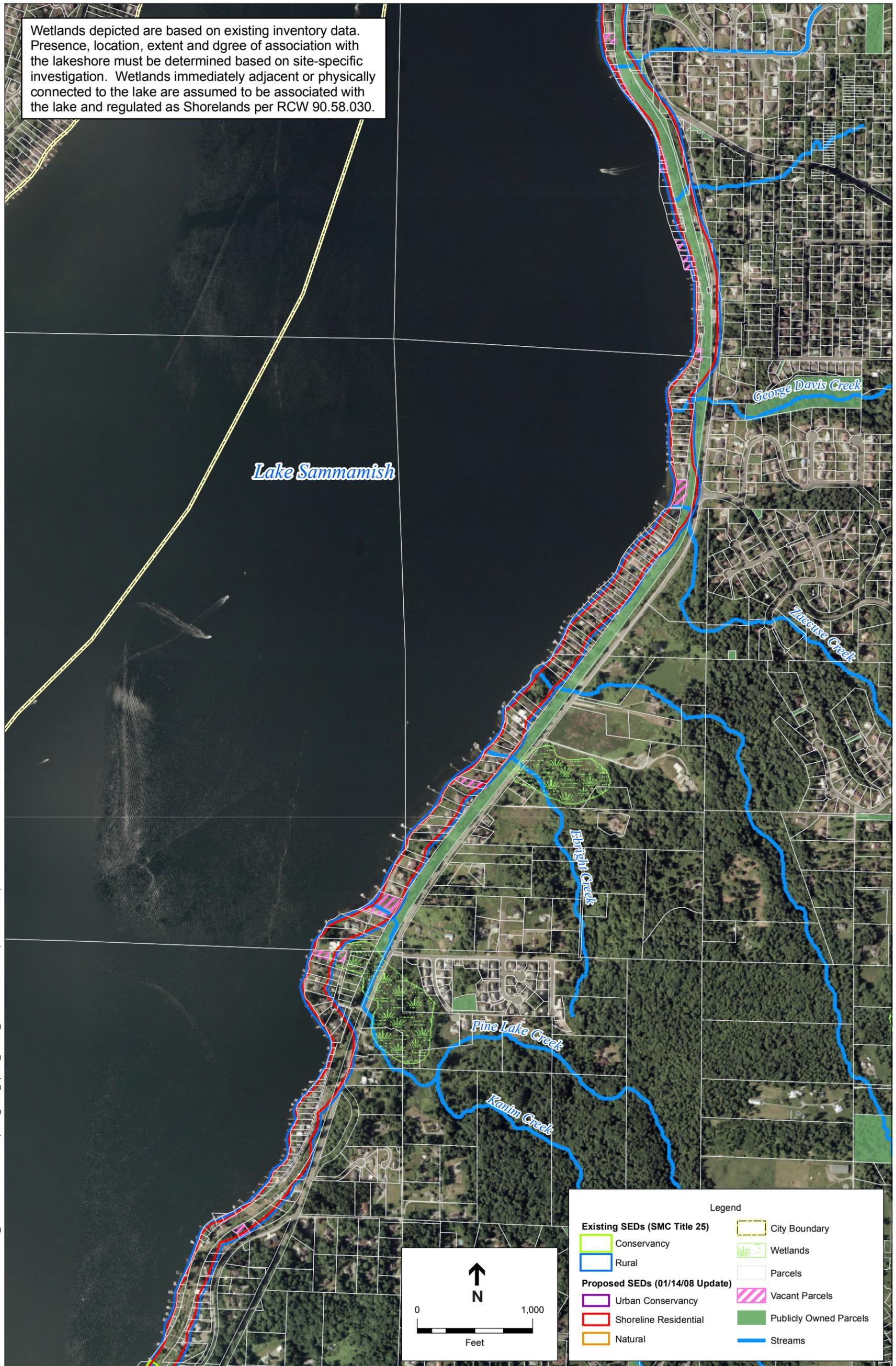
SOURCE: King County, 2006; City of Sammamish, 2007; ESA Adolfson, 2008

Sammamish SMP . 206078
Existing and Proposed Shoreline Environment Designations
Northern Lake Sammamish
 Sammamish, WA



DRAFT
 Prepared 16 January 2008

Wetlands depicted are based on existing inventory data. Presence, location, extent and degree of association with the lakeshore must be determined based on site-specific investigation. Wetlands immediately adjacent or physically connected to the lake are assumed to be associated with the lake and regulated as Shorelands per RCW 90.58.030.



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SOURCE: King County, 2006; City of Sammamish, 2007; ESA Adolfson, 2008

Sammmamish SMP . 206078
Existing and Proposed Shoreline Environment Designations
Central Lake Sammamish
 Sammamish, WA



DRAFT
 Prepared 16 January 2008

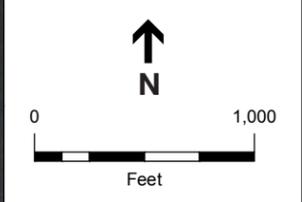
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Legend

| | |
|--|------------------------|
| Existing SEDs (SMC Title 25) | City Boundary |
| Conservancy | Wetlands |
| Rural | Parcels |
| Proposed SEDs (01/14/08 Update) | Vacant Parcels |
| Urban Conservancy | Publicly Owned Parcels |
| Shoreline Residential | Streams |
| Natural | |



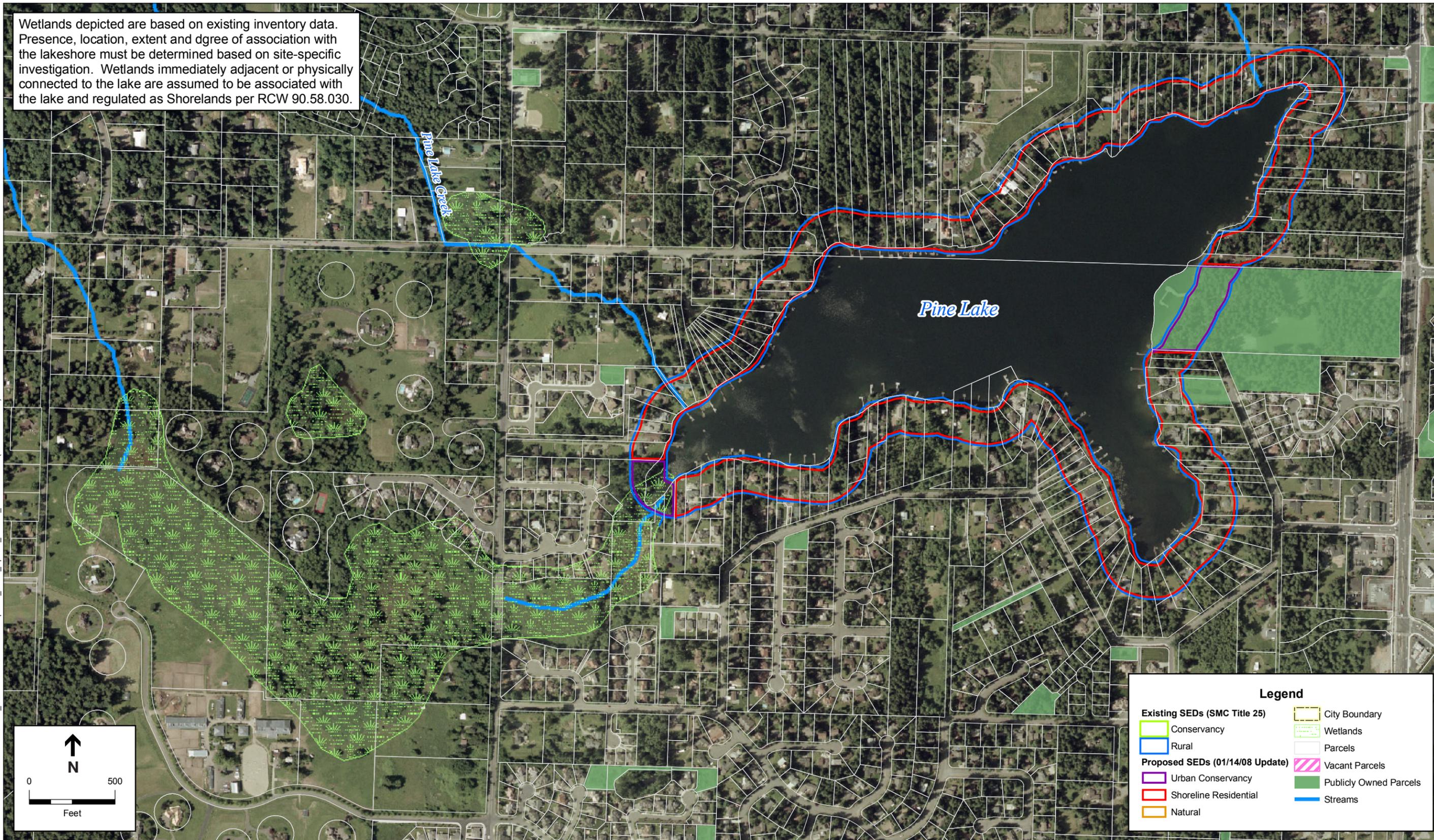
SOURCE: King County, 2006; City of Sammamish, 2007; ESA Adolfson, 2008

Sammamish SMP . 206078
Existing and Proposed Shoreline Environment Designations
 Southern Lake Sammamish
 Sammamish, WA

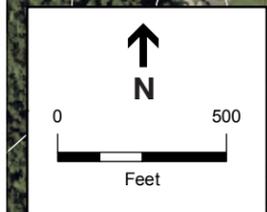


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 Prepared 16 January 2008

Wetlands depicted are based on existing inventory data. Presence, location, extent and degree of association with the lakeshore must be determined based on site-specific investigation. Wetlands immediately adjacent or physically connected to the lake are assumed to be associated with the lake and regulated as Shorelands per RCW 90.58.030.



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Legend

| | |
|--|------------------------|
| Existing SEDs (SMC Title 25) | City Boundary |
| Conservancy | Wetlands |
| Rural | Parcels |
| Proposed SEDs (01/14/08 Update) | Vacant Parcels |
| Urban Conservancy | Publicly Owned Parcels |
| Shoreline Residential | Streams |
| Natural | |

SOURCE: King County, 2006; City of Sammamish, 2007; ESA Adolfsen 2008

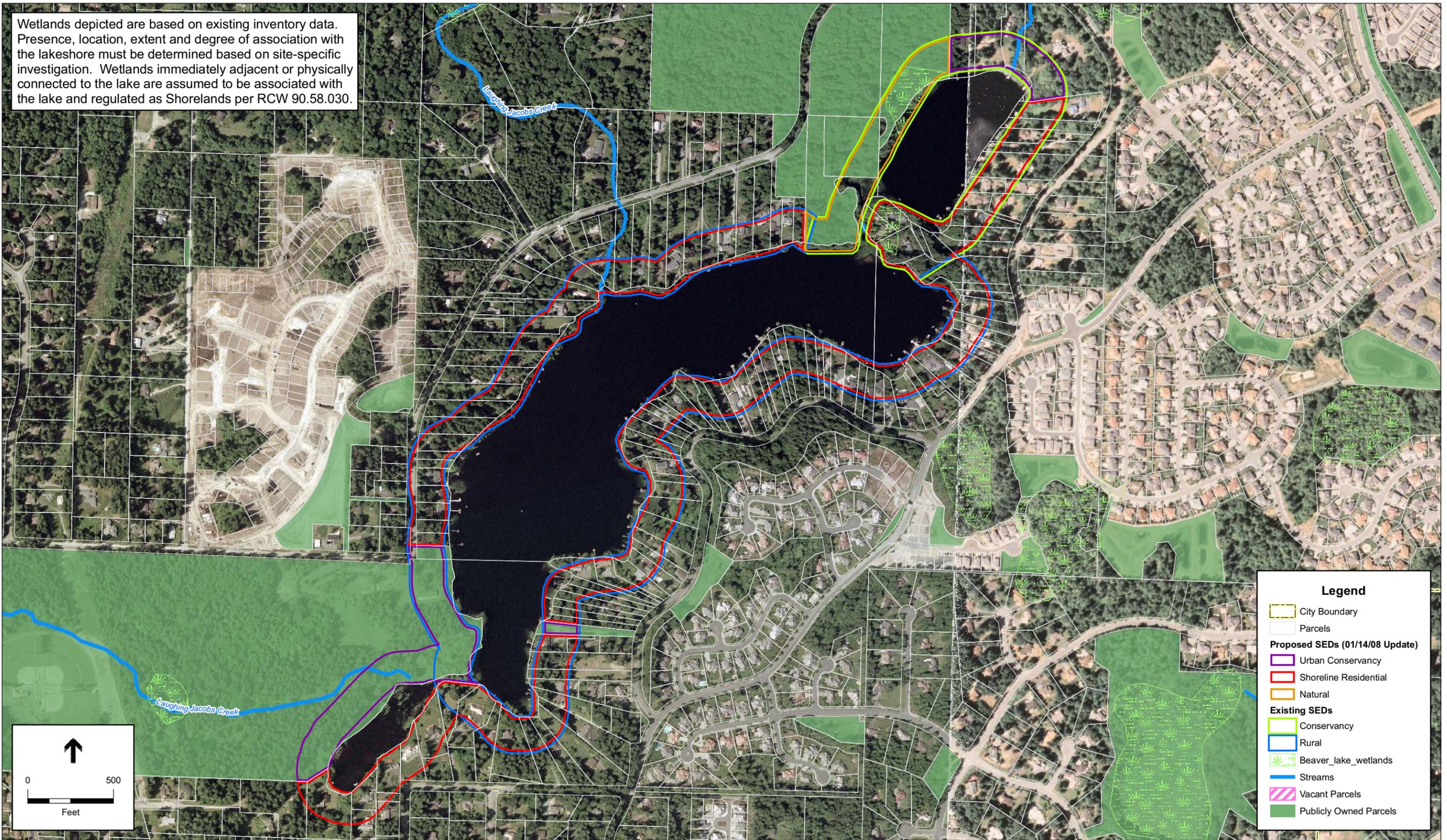


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 Prepared 16 January 2008

Samamish SMP . 206078
Existing and Proposed Shoreline Environment Designations
Pine Lake
 Sammamish, WA

Wetlands depicted are based on existing inventory data. Presence, location, extent and degree of association with the lakeshore must be determined based on site-specific investigation. Wetlands immediately adjacent or physically connected to the lake are assumed to be associated with the lake and regulated as Shorelands per RCW 90.58.030.

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Legend

- City Boundary
- Parcels
- Proposed SEDs (01/14/08 Update)**
- Urban Conservancy
- Shoreline Residential
- Natural
- Existing SEDs**
- Conservancy
- Rural
- Beaver Lake Wetlands
- Streams
- Vacant Parcels
- Publicly Owned Parcels

SOURCE: King County, 2006; City of Sammamish, 2007; ESA Adolfsen 2008



DRAFT

Prepared 16 January 2008

Samamish SMP . 206078
Existing and Proposed Shoreline Environment Designations
Beaver Lake
 Sammamish, WA

Sammamish SMP Update – Policy and Regulatory Options to Resolve

| Chapter and Section | Policy Option / Regulatory Option / Policy or Regulation Footnote | Status | How to Resolve | Notes |
|--|--|---|--|---|
| Chpt. 1 – 5. Title | Policy Option – This Program could be split up such that the policies would reside in the Comprehensive Plan, and the regulations and administrative provisions would reside in applicable sections of the Sammamish Municipal Code. | No change | Staff decision, minimal PC discussion/input | |
| Chpt. 3 – 3. Aquatic | Policy Option – the Aquatic environment designation is proposed as a Policy Option for designating areas waterward of the ordinary high water mark. The existing City regulations do not include a special designation for water areas. | Staff recommendation is to omit Aquatic from designation. Staff also recommends adding Natural as a designation for Beaver Lake Preserve. | Inform the PC of recent staff recommendation and rationale for dropping Aquatic. | Present SED maps, photos and analyses to PC for discussion. |
| Chpt. 5 – 2. Ecological Protection and Critical Areas | <p>A. Policies – 5. In assessing the potential for net loss of ecological functions or processes, both project-specific and cumulative impacts should be considered in accordance with WAC 173-26-186(8)(d).</p> <p>Policy Option - to comply with the WAC requirement to address cumulative impacts noted in Policy 5 above, the City could elect to develop a database to track projects with similar impacts and assess the effectiveness of mitigation implemented to offset adverse impacts over time. Other mechanisms may also be available for assessing cumulative impacts.</p> | No change | Needs staff input before bringing to PC. | No new information to present. |

Sammamish SMP Update – Policy and Regulatory Options to Resolve

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| Chpt. 5 – 2. Ecological Protection and Critical Areas | <p>B. Regulations – 1. The provisions of the Sammamish Critical Areas Ordinance, SMC 21A.50, shall apply to any use, alteration or development within shoreline jurisdiction whether or not a shoreline permit or written statement of exemption is required. Unless otherwise stated, no development shall be constructed, located, extended, modified, converted, or altered, or land divided without full compliance with SMC 21A.50 and this Program. Within shoreline jurisdiction, the regulations of SMC 21A.50 shall be liberally construed together with this Program to give full effect to the objectives and purposes of the provisions of the Program and Act.</p> <p>Regulatory Option – the City can select a different mechanism for complying with Policy #1 above. Regulation #1 above adopts the CAO by reference, but other methods of integrating the CAO regulations can be explored during Phase 2 of the SMP Update process.</p> | No change | Needs staff input before bringing to PC (if needed) | No new information to present. |
| Chpt. 5 – 4. Views and Aesthetics | <p>A. Policies <i>[The WAC provides minimal guidance on protecting views and aesthetics outside of the public access requirements of WAC 173-26-221(4) – see #7 below. The following policies are considered optional]</i></p> <p>Policy Option - Shoreline use and development activities should be designed and operated to minimize obstructions of the public’s visual access</p> | Staff direction is to maintain these policies and to manage views via mandated height limits and side yard setback | Need PC direction on wording of policies. | No new information to present. The proposed language is fairly standard and consistent with |

Sammamish SMP Update – Policy and Regulatory Options to Resolve

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|--------------------------------------|---|------------------------|---------------------------------|--|
| | <p>to the water and shoreline.</p> <p>Policy Option - Shoreline use and development should not significantly detract from shoreline scenic and aesthetic qualities that are derived from natural or cultural features, vegetative cover and historic sites/structures.</p> | standards - see below. | | the WAC. |
| Chpt. 5 – 4. Views and Aesthetics | <p>A. Regulations <i>[The following regulations are recommended to implement the optional policies noted above]</i></p> <p>Regulatory Option - Protection and/or enhancement of shoreline ecological functions and critical areas and their associated buffers shall be preferred over provisions for visual access when the two are in conflict.</p> <p>Regulatory Option - Aesthetic objectives shall be implemented through regulations and standards for site planning, maximum height, setbacks, vegetation conservation, designation of view corridors, and/or maintenance of natural vegetative buffers.</p> | No change. See above | Need PC to discuss and approve. | No new information to present. The proposed language is fairly standard and consistent with the WAC. |
| Chpt. 5 – 5. Vegetation Conservation | <p>A. Policies <i>[Policy #1 is required to comply with WAC 173-26-221(5)(b). Policy # 2 is optional]</i></p> <p>1. All shoreline developments and uses should be planned and designed to retain or replace shoreline vegetation with the overall purpose being to achieve no net loss of the ecological functions and</p> | No change. | Need PC to discuss and approve | No new information to present. The proposed language is fairly standard and consistent with |

Sammamish SMP Update – Policy and Regulatory Options to Resolve

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|--|---|------------|---------------------------------|--|
| | <p>processes performed by the vegetation. Important functions of shoreline vegetation include, but are not limited to [A through H in text]</p> <p>Policy Option - Clearing and thinning for limited view corridors should only be allowed where it does not adversely impact ecological and/or aesthetic values, and/or slope stability¹. Vegetation conservation should be preferred over the creation or maintenance of views to protect shoreline ecological functions and aesthetics.</p> | | | the WAC. |
| Chpt. 5 – 6. Archaeological, Historic and Cultural Resources | <p>B. Regulations <i>[The following regulations are required by WAC 173-26-221(c) or are optional recommendations for implementing the policies noted above]</i></p> <p>B. Regulations.</p> <p>1. Upon receipt of application for a shoreline permit or request for a statement of exemption for development on properties within 500 feet [or other reasonable distance at the city's discretion] of a site known to contain a historic, cultural or archaeological resource(s), the City shall require a cultural resource site assessment unless the Director determines that</p> | No change. | Need PC to discuss and approve. | No new information to present. Regulations noted are based in input from DAHP. |

¹ Limbing is allowed per the CAO. This policy is not intended to contradict the CAO standards, which would apply, but merely states a preference for minimizing such activities.

Sammamish SMP Update – Policy and Regulatory Options to Resolve

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|---------------------|---|--------|----------------|-------|
| | <p>the proposed development activities will not include any ground disturbing activities or will not impact a known historic, cultural or archaeological site. The site assessment shall determine the significance of the discovery and the extent of damage to the resource and shall be distributed to the Washington State Department of Archaeology and Historic Preservation for review.</p> <p>Regulatory Option – If the cultural resource site assessment identifies the presence of significant historic or archaeological resources, a Cultural Resource Management Plan (CRMP) shall be prepared by a professional archaeologist or historic preservation professional, as applicable. In the preparation of such plans, the professional archaeologist or historic preservation professional shall solicit comments from the Washington State Department of Archaeology and Historic Preservation, and affected tribes</p> <p>Regulatory Option - If the site has been determined not to be significant by the above listed agencies or governments, or if the above listed agencies or governments have failed to respond within the applicable review period following receipt of the site assessment, such stopped work may resume.</p> | | | |

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|-------------------------------|--|------------|---------------------------------|---|
| Chpt. 5 – 7. Public Access | <p>B. Regulations</p> <p>Regulatory Option - When required, public access shall be designed to be compatible and minimize adverse effects on neighboring private properties.</p> <p>Regulatory Option - New shoreline development/uses shall be designed and operated to avoid blocking, obstructing, reducing or adversely interfering with the public’s physical and visual access to the water and shorelines.</p> <p>Regulatory Option - Development on the water shall be constructed of non-reflective materials that are compatible in terms of color and texture with the surrounding area.</p> <p>Regulatory Option - Public access locations shall be clearly marked with visible signage.</p> <p>Regulatory Option - Public access shall be located adjacent to other public areas, accesses and connecting trails, and connected to the nearest public street;</p> <p>Regulatory Options - Public access shall include provisions for handicapped and physically impaired person where feasible.</p> <p>Regulatory Option - Where views of the water or shoreline are available and physical access to the waters edge is not present or appropriate, a public viewing area that is otherwise compatible</p> | No change. | Need PC to discuss and approve. | No new information to present. The proposed language is fairly standard and consistent with the WAC |

Sammamish SMP Update – Policy and Regulatory Options to Resolve

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|---|---|-------------------|--|---|
| | <p>and consistent with the standards of this Program shall be provided.</p> <p>Regulatory Option - Public access facilities shall be maintained over the life of the use or development. Future actions by successors in interest or other parties shall not diminish the usefulness or value of required public access areas and associated improvements.</p> | | | |
| <p>Chpt. 6 – 1. Shoreline Stabilization: Bulkheads and Revetments</p> | <p>B. Regulations.</p> <p>18. Bulkheads on shores exposed to significant wave action shall be designed to dissipate wave energy and scouring. Walls, revetments, or other similar hard structures within 10 feet of the Ordinary High Water Mark shall be considered bulkheads. [FOOTNOTE - The 10 ft limit is a recommendation, not required by the guidelines. The City has the option of using a different dimension.]</p> | <p>No change.</p> | <p>Need PC to discuss and approve.</p> | <p>No new information to present.</p> |
| <p>Chpt. 6 – 2. Moorage: Docks, Piers and Buoys</p> | <p>[FOOTNOTE - Current CAO 21A.50.300 allows a dock or pier in wetland if certain criteria are met. May want to discuss and/or reconsider with PC.]</p> <p>A. Policies</p> <p>2. New moorage designed and used as a facility for access to watercraft should only be allowed</p> | <p>No change.</p> | <p>Need PC to discuss and approve.</p> | <p>We have some new information and recommendations pertaining to dock dimensional standards.</p> |

Sammamish SMP Update – Policy and Regulatory Options to Resolve

| Chapter and Section | Policy Option / Regulatory Option / Policy or Regulation Footnote | Status | How to Resolve | Notes |
|---------------------|--|---|---|---|
| | <p>as an accessory to water-dependent uses or for public access. Moorage associated with a single-family residence should be allowed only where there is a demonstrated need and where mooring buoys and joint use facilities are not feasible. [Footnote - Policy option for discussion with the PC. The RCW exempts docks accessory to SFRs from a substantial development permit. Current city code specifies that docks are not allowed outright.]</p> | | | |
| | <p>B. Regulations [Footnote - These may need further refinement to parse out difference standards for Lake Sammamish, Pine and Beaver Lakes.]</p> <p>5. Moorage shall only be permitted on:</p> <ul style="list-style-type: none"> a. Lots created on or after the effective date of the adoption of this Program having water frontage meeting or exceeding the minimum lot width required in the applicable land use district; b. Lots created prior to the effective date of the adoption of this Program; or c. Nonbuilding tracts platted for the purpose of providing common moorage for a group of contiguous properties. [Footnote - Discuss best way to achieve intent of this | <p>Staff and consultants are recommending the following new/additional changes:</p> <ul style="list-style-type: none"> • A new format for the program that is organized by Lake. • Revised dock dimensions. • Revised conformance thresholds fro | <p>Discuss new format and proposed moorage standards with PC.</p> | <p>Present proposed SMP format and approach for addressing docks.</p> |

Sammamish SMP Update – Policy and Regulatory Options to Resolve

| Chapter and Section | Policy Option / Regulatory Option / Policy or Regulation Footnote | Status | How to Resolve | Notes |
|---------------------|---|-------------------|----------------|-------|
| | <p>provision and consistent with zoning.]</p> <p>6. Prior to approving new moorage, any existing in-water and over-water structures 30 feet waterward of the Ordinary High Water Mark, excluding bulkheads and structures facilitating access, shall be removed and no additional in-water structures shall be constructed over the entire length of the property. [Footnote - This and the following standards are not expressly stated in the shoreline guidelines but are derived from the U.S. Army Corps of Engineers Regional General Permit #3 requirements for moorage facilities in Lake Sammamish issued in March 2005 (expiring in March 2010) and are therefore required for any in-water moorage construction in Lake Sammamish. Whether the Corps would apply these same standards to Pine and Beaver Lakes is questionable. However, the Corps and the state WDFW can regulate in-water activity on all waters of the U.S./waters of the State. (Discuss with PC). The City of Bellevue has adopted these same standards. The City has the option of referencing compliance with the RGP or including the standards in the program as shown here. In either case, it is prudent to include a statement that says in the event of a</p> | dock replacement. | | |

| Chapter and Section | Policy Option / Regulatory Option / Policy or Regulation Footnote | Status | How to Resolve | Notes |
|---------------------|--|--------|----------------|-------|
| | <p>conflict between the RGP standards and this Program, the RGP standards will apply. It is likely that some provisions of the RGP will change over time. Also, a property owner can attempt to bypass the RGP requirements by preparing a full Biological Assessment, but it is likely that other state and federal laws regulating in-water work will require very similar standards. This is an important item for discussion.]</p> <p>10. Surface coverage including decking, grating and all over-water portions of the moorage structure shall be limited to the following:</p> <ul style="list-style-type: none"> a. 480 square feet for moorage facilities serving only one residential waterfront. b. 700 square feet for moorage facilities serving two residential waterfront lots. c. 1,000 square feet for moorage facilities serving three or more residential waterfront lots. [footnote - These area limits are consistent with the Federal requirements via the Corps RGP-which technically may only apply to Lake Sammamish because of the Endangered Species Act nexus (discuss with PC). Current code is as follows: “total surface area of piers, moorages, floats and/or launching facilities, or any combination | | | |

| Chapter and Section | Policy Option / Regulatory Option / Policy or Regulation Footnote | Status | How to Resolve | Notes |
|---------------------|---|--------|----------------|-------|
| | <p>thereof, shall not exceed 600 square feet; provided, that no float shall have more than 150 square feet of surface area.”]</p> <p>22. To mitigate the impacts of new or expanded moorage facilities, the applicant shall plant emergent vegetation (if site-appropriate) and a buffer of vegetation a minimum of 20 feet [footnote - Discuss appropriate dimension and ensure consistency with CAO] wide along the entire length of the lot immediately landward of ordinary high water mark. Planting shall consist of native shrubs and trees and, when possible, emergent vegetation. At least five native trees [footnote - This is the Corps requirement, subject to change]will be included in a planting plan containing one or more evergreen trees and two or more trees that like wet roots (e.g., willow species). The applicant shall monitor such plantings for a period of five years to ensure survival. This requirement is not intended to prevent reasonable access to the shoreline, or to prevent use of the shoreline area.</p> <p>27. Proposals involving replacement of more than 50 percent of the structural piles of the moorage facility shall be considered a new moorage facility and shall comply with all the</p> | | | |

Sammamish SMP Update – Policy and Regulatory Options to Resolve

| Chapter and Section | Policy Option / Regulatory Option / Policy or Regulation Footnote | Status | How to Resolve | Notes |
|---------------------------------|---|---|--|--|
| | <p>provisions of this subsection. [Footnote - Discuss if this is the correct threshold. Other options include % of total FMV or similar approach. This is a policy option.]</p> | | | |
| <p>Chpt. 7 – 2. Residential</p> | <p>B. Regulations [Footnote - The following are important items for discussion with the PC:</p> <ul style="list-style-type: none"> • Minimum lot size. The Guidelines do not specify minimum lot size, so there is some policy discretion. No policies or regulations have been proposed at this time. Current city regulations 21A.25.030 specify only min. lot width of 35 ft. • Prohibiting subdivision in the Conservancy environment. • Prohibiting subdivision unless the area is served by sewer and all residences hook up to sewer. Currently 2,000 sq. ft. is the min. lot size for developments on septic. This could be changed in shoreline jurisdiction.] <p>4. Accessory structure shall be sited away from the land/water interface and outside (landward of) the shoreline buffer unless otherwise specified. [Footnote - The CAO SMC 21A.50.352 effectively precludes accessory structures within the buffer of Lake Sammamish. On Pine and Beaver lakes, the building setback only applies to the primary residence. The recommendation is to create a buffer on Pine and Beaver similar to Lake Sammamish and require both the residence and</p> | <p>Staff has new recommendations for lot size limits, Pine & Beaver Lake buffers, impervious surfaces, fencing in side yards.</p> | <p>Discuss latest staff recommendations with PC.</p> | <p>Present new information on rationale for lot size limits, buffers, etc. Comparison Sammamish to neighboring cities. Examine maps and photos showing small lots.</p> |

Sammamish SMP Update – Policy and Regulatory Options to Resolve

| Chapter and Section | Policy Option / Regulatory Option / Policy or Regulation Footnote | Status | How to Resolve | Notes |
|------------------------|---|---|---|---|
| | <p>accessory structure to be located landward of it. This duplicates a policy in Chapter 5. Not needed in both chapters, decide which is best.]</p> <p>10. Side yards within two hundred feet of the Ordinary High Water Mark shall total 15 percent of the lot and shall remain free of above ground structures and impervious surfaces except fences up to 48 inches in height. [Footnote - Staff recommendation. Dimensional standards are somewhat flexible and could be modified.]</p> | | | |
| Chpt. 7 – 4. Utilities | <p>B. Regulations</p> <p>7. Septic fields shall be located outside (landward of) shoreline buffers and on the landward side of development, where possible [Footnote - Consider whether to prohibit new septic systems in shoreline jurisdiction.]</p> <p>FROM ALLOWED USES TABLE - [Footnote - Consider prohibiting bulkheads outright in Conservancy environments.]</p> | Staff recommends against the proposed prohibition on new septics. | Obtain PC concurrence with staff recommendation. Discuss bulkheads with PC. | No new information, but explain the bulkhead requirements in the WAC. |