

Shoreline Master Program Periodic Review 2020

Development & Engineering Advisory Board Meeting
Webex Remote Meeting

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July 9, 2020



Agenda

- Project recap
- Changes since Feb
- Next steps



What is a Periodic Review?

Ensure the Shoreline Master Program (SMP) is:

- Current with changes in laws and rules
- Consistent with other Clark County plans and regulations
- Responsive to changed circumstances, new information and improved data

Due: June 30, 2021



Process – where we are

Periodic Review Kick-off

Summer 2019

- Council work session (Aug. 14)
- Council hearing to establish Public Participation Plan (Sept. 3)
- Launch project webpage and email list

Outreach & Proposal Development

Fall-Winter 2019

- Open houses
- Meetings with
 - Advisory boards
 - Interest groups
- Develop draft proposal

Adoption Process

Spring-Fall 2020

- SEPA & 30-day comment period
- Planning Commission Work Session & Hearing
- Ecology Initial Determination
- County Council Work Session & Hearing
- Ecology Final Determination



Additional proposed changes

- **Priority habitats and species clarity and best available science.** Amend SMP and Habitat Conservation Code to be more clear about what is included in “Other Priority Habitats and Species Areas (PHS)”. Update WDFW Priority Habitats and Species List and Map and Management Recommendations to current version. (Draft proposal: pp. 6-7, p. 59)
- **Wetland delineation information requirements.** Amend information requirements in wetland delineation report to be more clear about type of wetland class boundaries required on the site map and to clarify that a survey is not necessarily required to determine the acreage of each wetland on site. (Draft proposal: p. 11)
- **Wetland buffer standards.** Amend SMP to align with current buffer guidance in 2016 Wetland Guidance for Critical Areas Ordinance Updates: Western Washington Version and current Appendix C-8 of Wetlands in Washington State, Volume 2 (revised July 2018).
 - In wetland code, clarify that wetland buffer widths are established by comparing the wetland rating category, wetland rating habitat score, and the intensity of land uses proposed on development sites. (Draft proposal: p. 12)



Additional proposed changes

- **Wetland buffer standards (continued)**

- In wetland code, for adjusted buffer width for functionally isolated buffer areas, remove vertical separation as a de facto characteristic for exclusion from buffers (Draft proposal: p. 14)
- In wetland code, delete outdated low impact development design buffer standards as one measure for reduced width of buffers based on modification of land use intensity. (Draft proposal: pp. 16-17)
- In wetland code, correct habitat corridor buffer standards to apply only to wetlands with habitat function scores higher than five on the rating system form. (Draft proposal: p. 17)
- In wetland code, add reference to buffer reduction code section 40.450.040(C)(1). (Draft proposal: p. 18)
- In wetland code, revise header for table 40.450.040-2 to make clear it shows mitigation ratios for wetland buffers for the preservation of category I and II wetlands. (Draft proposal: p. 22)
- In wetland code, add statement regarding wetland buffers required for mitigation: if wetland mitigation will provide habitat functions that require larger buffers per Table 40.450.030-2, wetland mitigation credit shall be reduced to account for loss of wetland buffer area and function if required buffers not provided. (Draft proposal: p. 23)



Additional changes (continued)

- **Wetland buffer standards (continued).**
 - In SMP, correct code to say that stormwater facilities are only allowed in buffers of wetlands with low habitat function (less than six points) and add statement clarifying stormwater facilities need to be built on the outer 25% of the buffer, cannot degrade the existing buffer function, and must be designed to blend in with the natural landscape. (Draft proposal: p. 61)
 - In SMP, add statement that Section 40.450.040(D)(4)(c)(4) does not apply to the SMP. This wetland code section states that in wetlands where several HGM classifications are found within one delineated wetland boundary, the areas of the wetlands within each HGM classification can be scored and rated separately and the mitigation ratios adjusted accordingly if certain conditions apply. (Draft proposal: p. 62)
 - In SMP, correct reference regarding wetland mitigation standards on wetland buffer width reduction maximum. (Draft proposal: p. 63)
 - In SMP, add reference to the code section where wetland mitigation buffer reduction limitations are specified. (Draft proposal: p. 63)
 - In SMP, revise sentence to clarify alternate wetland mitigation credit options, so that the SMP mentions the current in-lieu-fee program option. (Draft proposal: p. 63)



Additional proposed changes

- **Exceptions to wetland buffer standards.** Amend SMP to align wetland buffer standards with 2016 wetland buffer guidance and Appendix C-8 of Wetlands in Washington State, Volume 2 (revised July 2018). (Draft proposal: p. 60)
 - Confirm that wetland buffer widths shall be determined by the Shoreline Administrator in accordance with the standards in Section 40.450.030, except as follows:
 - **The exceptions to urban plat requirements in Section 40.450.030(E)(3) do not apply in the Shoreline Management Area;**
 - **The adjusted buffer width standards in Section 40.450.030(E)(4)(a) shall be limited to a maximum width reduction of 25% from the required buffer at any location within the Shoreline Management Area; and**
 - **The adjusted buffer width standards in Sections 40.450.030(E)(4)(b)(2) and 40.450.030(E)(4)(c) do not apply in the Shoreline Management Area.**
 - Clarify that the wetland buffer reductions allowed in Section 40.450.040(C)(1) shall only be approved within the Shoreline Management Area if all applicable land use intensity modification measures listed are proposed.



Additional proposed changes

- **Avoidance, minimization, and mitigation sequence.** Amend SMP to clarify that avoidance, minimization, and mitigation sequence in CCC 40.460.530(A)(10) applies to wetland buffers. (Draft proposal: p. 61)
- **Aquaculture.** Amend SMP to reference 2018 law regarding net pen aquaculture, RCW 77.125.050. (Draft proposal: p. 65)
- **Floating homes and on-water residences.** Further revised previous draft amendment clarifying how to address floating homes and on-water residences that may be relocated. (Draft proposal: p. 76-77)
- **Shoreline Management Review Committee (SMRC).** Amend SMP make-up to be more flexible with county reorganizations. Also, SMRC authority can be ceded to Hearing Examiner in cases when there is a concurrent Type III land use action (Draft proposal: pp. 80-81)
- **Use of return receipt.** Amend SMP to clarify county permit filing procedures with Ecology. (Draft proposal: p.81)



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Thank you!

Comments and questions

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