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Shoreline Environments

INTRODUCTION TO SHORELINE ENVIRONMENTS

The basic intent of a shoreline environment designation is to encourage development that will enhance the present or desired character of a shoreline. To accomplish this, segments of shoreline are given an environment designation based on existing development patterns, the biological and physical character of the shoreline, and the goals and aspirations of the community as expressed through this Master Program and the Sultan Comprehensive Plan, and consistent with the provisions of the shoreline guidelines.

Environment designations are categories that reflect the type of development that has or should take place in a given area. The Shoreline Master Program Guidelines recommend classifying shoreline environments using the following categories: "high intensity," "shoreline residential," "urban conservancy," "rural conservancy," "natural," and "aquatic."

These categories represent a relative range of development, from high to low intensity land use:

"High intensity" is appropriate for areas of high intensity water-oriented commercial, transportation, and industrial development.

"Shoreline residential" is intended to accommodate residential development, and appropriate public access and recreational uses consistent with other elements of shoreline management.

"Urban conservancy" is a designation designed to protect and restore the ecological functions of open space, floodplain and other sensitive lands where they exist in urban and developed areas.

"Rural conservancy" is intended for areas that protect ecological functions and conserve existing natural resources and that support, or have the capability to support, agricultural and recreational uses.

"Natural" is intended to protect shorelines that remain relatively free of human influence or that include intact or minimally degraded shoreline functions that cannot support human use.

And finally, "Aquatic" is a designation intended to protect, restore, and manage the areas waterward of the ordinary high water mark.

Additionally, local governments may establish an alternative environment designation(s), provided that it is consistent with the purposes and policies of the Shoreline Management Act and the Guidelines, including WAC 173-26211(5).

For each environment designation that is applied locally, there are management policies that are specific to that designation. Management policies are used as the basis for determining uses and activities that can be permitted in each environment designation. Specific development standards are also established, which specify how and where permitted development can take place within each shoreline environment.

The Need for Consistency

The Shoreline Management Act requires that policies for lands adjacent to the shorelines be consistent with the Shoreline Management Act, implementing rules, and the local shoreline master program. Conversely, local comprehensive plans provide the underlying framework within which master program provisions should fit. The Growth Management Act requires that shoreline master program policies be incorporated as an element of the comprehensive plan, and that all elements be internally consistent. In addition, under the Growth Management Act, all development regulations must be consistent with the comprehensive plan.

The Shoreline Guidelines identify three criteria for use in evaluating the consistency between master program environment designation provisions and the corresponding comprehensive plan elements and development regulations. In order for shoreline designation provisions, local comprehensive plan land use designations, and development regulations to be internally consistent, all three of the conditions below should be met:

- (a) Provisions not precluding one another.

Comprehensive plan provisions and shoreline environment designation provisions should not preclude one another. To meet this criterion, the provisions of both the comprehensive plan and the master program must be able to be met. Further, when considered together and applied to any one piece of property, the master program use policies and regulations and the local zoning or other use regulations should not conflict in a manner that all viable uses of the property are precluded.

- (b) Use compatibility.

Land use policies and regulations should protect preferred shoreline uses from being impacted by incompatible uses. The intent is to prevent water oriented uses, especially water dependent uses, from being restricted on shoreline areas because of impacts to nearby non-water-oriented uses. To be consistent, master programs, comprehensive plans, and development regulations should prevent new uses that are not compatible with preferred uses from locating where they may restrict preferred uses or development.

- (c) Sufficient infrastructure.

Infrastructure and services provided in the comprehensive plan should be sufficient to support allowed shoreline uses. Shoreline uses should not be allowed where the comprehensive plan does not provide sufficient roads, utilities, and other services to support them. Infrastructure plans must also be mutually consistent with shoreline designations. Where they do exist, utility services routed through shoreline areas shall not be a sole justification for more intense development.

City of Sultan Shoreline Environment Designations

This Master Program establishes five shoreline environments for the City of Sultan. These shoreline environments shall include the shorelines of the City of Sultan, including shorelands, surface waters and bedlands.

These environments are derived from the Sultan Shoreline Characterization, the Shoreline Comprehensive Plan and the environments recommended by the Shoreline Guidelines and the Shoreline Management Act. The Shoreline Characterization provides an inventory of natural and built conditions in the City's shoreline jurisdiction. The conditions identified in the inventory have been compared with the recommended shoreline environments and the most appropriate environments selected. The five environments are:

1. Urban Center
2. Shoreline Residential
3. Urban Conservancy
4. Natural
5. Aquatic

Each shoreline environment description includes a definition and statement of purpose, followed by designation criteria, management policies, and development standards. Any undesignated shoreline area is automatically assigned a conservancy environment designation.

Urban Center Environment

Purpose

The Urban Center Environment is intended to provide for high-intensity urban commercial development and associated structures in areas of existing urban development while protecting and restoring ecological functions. An additional purpose is to provide appropriate public access.

Designation Criteria

An Urban Center environment designation is appropriate for those shoreline areas that are physically separated from natural and aquatic environments (such as by a street, highway railroad or other structure), that currently support high-intensity uses related to commerce or transportation and are designated for commercial uses in the Sultan Comprehensive Plan. Waterfront areas should not be designated Urban Center.

Areas Designated

Description

The **Urban Center** designation is appropriate for a portion of the Sultan and Skykomish river shorelines, located in Segments B and C of the inventory, which is predominantly commercial and designated for future commercial use.

Inventory Segment	Area Designated	Shoreline Designation
B SULTAN RIVER (confluence with Skykomish River)	Area east of First Street between Main Street and Alder Street	Urban Center
C SKYKOMISH RIVER (north bank from confluence with Wallace River to Confluence with Sultan River)	Area including and north of the BNSF and <u>HWY 2 right-of-way</u> and east from a point mid-block between First Street and Second Street	Urban Center

Rationale

Urban Center designation is appropriate for areas of existing and planned commercial use that are physically separated from the river. These two areas of shoreline designated as Urban Center are zoned Urban Center under the Sultan development regulations and are already dominated by a variety of commercial uses that are oriented toward Highway 2 and Sultan's Main Street. These two areas are physically separated from the rivers by the BNSF railroad and Highway 2 to the south and by First Street to the west. The Urban Center designation is found in two segments. In the segment along the Highway 2 and

BNSF corridor, development would only occur on the upland side of the right-of-way and there would not be a need for an additional building setback. The segment along First Street is physically separated from the shoreline by a park and Snohomish County jurisdiction. There is potential for additional development, however by definition the area is located approximately 300 feet from the Sultan River and there would not be a need for an additional building setback.

Management Policies

1. Full utilization of existing Urban Center areas should be achieved before further expansion of the Urban Center environment designation is allowed.
2. First priority of uses shall be given to water dependent, water related and water enjoyment uses; however second priority shall be given to non-water uses as the area does not have direct access to the city's shorelines.
3. Policies and regulations shall assure no net loss of shoreline ecological functions as a result of new development. Where applicable, new development shall include environmental cleanup and restoration of the shoreline to comply with any relevant state and federal law.
4. Where feasible, visual and physical public access should be required as provided for in WAC 173-26-221(4)(d).
5. Aesthetic objectives should be implemented by means such as sign regulations, appropriate development siting, screening and architectural standards, and maintenance of natural vegetative buffers.

Shoreline Residential Environment

Purpose

The Shoreline Residential Environment is intended to accommodate residential development and associated structures that are consistent with the Shoreline Management Act. An additional purpose is to provide appropriate public access and recreation uses.

Designation Criteria

A Shoreline Residential environment designation is appropriate for those shoreline areas that are predominantly single-family or multifamily residential development or are planned and platted for residential development.

Areas Designated

Description

The **Shoreline Residential** designation is appropriate for portions of the Sultan River and Skykomish River shorelines that are predominantly residential and designated for future residential use.

Inventory Segment	Area Designated	Shoreline Designation
<p style="text-align: center;">A</p> <p style="text-align: center;">SULTAN RIVER (north of the confluence with the Skykomish River to the Sultan City Limits)</p>	<p>West bank of Sultan River west of the wastewater treatment plan and south of Reese Park</p>	<p style="text-align: center;">Shoreline Residential</p>
<p style="text-align: center;">C</p> <p style="text-align: center;">SKYKOMISH RIVER (north bank from confluence with Wallace River to Confluence with Sultan River)</p>	<p>North bank of Skykomish River including and east of Fifth Street and south of BNSF right-of-way</p>	<p style="text-align: center;">Shoreline Residential</p>
<p style="text-align: center;">UGA</p> <p style="text-align: center;">SULTAN RIVER (east bank north of City Limits within UGA)</p>	<p>East bank of Sultan River north of the Sultan City Limits, landward of the floodway.</p>	<p style="text-align: center;">Shoreline Residential</p>

Rationale

The segments of shoreline designated as Shoreline Residential are predominately residential and are planned for low to moderate residential density.

Management Policies

1. Standards for density or minimum frontage width, setbacks, and lot coverage limitations shall follow underlying zoning requirements for low to moderate residential. Buffers, shoreline stabilization, vegetation conservation, critical area protection, flood management, and water quality shall be set by the Sultan Municipal Code to assure no net loss of shoreline ecological functions, taking into account the environmental limitations and sensitivity of the shoreline area, the level of infrastructure and services available, and other comprehensive planning considerations.
2. Multifamily and multi-lot residential and recreational developments should provide public access and joint use for community recreational facilities.
3. Access, utilities, and public services should be available and adequate to serve existing needs and/or planned future development.

4. Commercial development is prohibited in the Shoreline Residential Environment, with the exception of limited home occupations and as a conditional use in underlying zoning.

Urban Conservancy Environment

Purpose

The purpose of the Urban Conservancy environment is to protect and restore ecological functions of open space, floodplain and other sensitive lands where they exist in urban and developed settings, while allowing a variety of compatible uses.

Designation Criteria

Areas designated Urban Conservancy are those areas that are appropriate for and planned for development that is compatible with maintaining or restoring the ecological functions of the area, that are generally not suited for water-dependent uses if any of the following characteristics apply:

1. They are suitable for water-related or water-enjoyment uses;
2. They are open space, floodplain or other sensitive areas that should not be more intensively developed;
3. They have potential for ecological restoration;
4. They retain important ecological functions, even though partially developed; or
5. They have the potential for development that is compatible with ecological restoration.

Areas Designated

Description

The **Urban Conservancy** designation is appropriate for segments of the shorelines that have some urban uses and have potential for restoration of ecological functions and enhanced public access.

Inventory Segment	Area Designated	Shoreline Designation
A SULTAN RIVER (north of the confluence with the Skykomish River to the Sultan City Limits)	East bank of Sultan River north of Alder Street and south of the City Limits lying landward of the floodway and shoreline associated wetlands	Urban Conservancy

Inventory Segment	Area Designated	Shoreline Designation
<p align="center">B</p> <p align="center">SULTAN RIVER (confluence with Skykomish River)</p>	<p>West and east banks of the Sultan River east of Albion Street and west of First Street, not including that area of the river designated Aquatic</p>	<p align="center">Urban Conservancy</p>
<p align="center">C</p> <p align="center">SKYKOMISH RIVER (north bank from confluence with Wallace River to Confluence with Sultan River)</p>	<p>Area south of the BNSF right-of-way and west of Fifth Street, not including that area of the river designated Aquatic</p>	<p align="center">Urban Conservancy</p>
<p align="center">UGA</p> <p align="center">SULTAN RIVER (east bank north of City Limits within UGA)</p>	<p>East bank of Sultan River north of the Sultan City Limits, inside of the floodway.</p>	<p align="center">Urban Conservancy</p>

Rationale

The shorelines designated Urban Conservancy are areas of lower-intensity urban development, such as parks, that provide for public access and may be appropriate for ecological restoration.

Management Policies

1. Uses that preserve the natural character of the area or promote preservation of open space, floodplain or sensitive lands either directly, or over the long term, should be the primary allowed uses. Uses that result in restoration of ecological functions should be allowed if the use is otherwise compatible with the purpose of the environment and the setting.
2. Standards should be established or adopted for shoreline stabilization measures, vegetation conservation, water quality, and shoreline modifications within the Urban Conservancy designation. These standards shall ensure that new development does not result in a net loss of ecological functions or further degrades other shoreline values. The subdivision of property that would support additional shoreline modification or significant vegetation removal in the foreseeable future is to be P.
3. Public access and public recreation objectives should be implemented whenever feasible and significant ecological impacts can be mitigated.
4. Water-oriented uses should be given priority over nonwater-oriented uses. For shoreline areas adjacent to commercially navigable waters, water-dependent uses should be given highest priority.

Natural Environment

Purpose

The purpose of the Natural environment designation 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. Restoration of degraded shorelines should be sought within this environment.

Designation Criteria

Any shoreline area exhibiting the following characteristics should be designated Natural:

1. The shoreline is ecologically intact and therefore currently performing an important, irreplaceable function or ecosystem-wide process that would be damaged by human activity;
2. The shoreline is considered to represent ecosystems and geologic types that are of particular scientific and educational interest; or
3. The shoreline is unable to support new development or uses without significant adverse impacts to ecological functions or risk to human safety.

Such shoreline areas include largely undisturbed portions of shoreline areas such as wetlands, estuaries, unstable bluffs, coastal dunes, spits, and ecologically intact shoreline habitats.

“Ecologically intact shorelines,” as used here, means those shoreline areas that retain the majority of their natural shoreline functions, as evidenced by the shoreline configuration and the presence of native vegetation. Generally, but not necessarily, ecologically intact shorelines are free of structural shoreline modifications, structures and intensive human uses. In forested areas, they generally include native vegetation with diverse plant communities, multiple canopy layers, and the presence of large woody debris available for recruitment to adjacent water bodies. Recognizing that there is a continuum of ecological conditions ranging from near natural to totally degraded and contaminated, this term is intended to delineate those shoreline areas that provide valuable functions for the larger aquatic and terrestrial environments that could be lost or significantly reduced by human development.

Areas Designated

Description

The Natural environment designation is appropriate for much of the Sultan River within the City Limits. Most of this area is in public ownership as part of Osprey and Reese parks, both of which contain large areas of natural vegetation and wetlands.

Inventory Segment	Area Designated	Shoreline Designation
<p style="text-align: center;">A</p> <p style="text-align: center;">SULTAN RIVER (confluence with Skykomish River)</p>	<p>Reese Park on the west side of the Sultan River</p> <p>East bank the Sultan River from the Aquatic area east to the edge of the floodway or dense native vegetation and wetland plant communities, whichever is more inclusive, from Alder Street to the City Limits and including wetlands adjacent to Winters Creek that are within the Shoreline area</p>	<p style="text-align: center;">Natural</p>
<p style="text-align: center;">D</p> <p style="text-align: center;">Wallace River (North Bank)</p>	<p>Cemetery Park on the North Side of the Skykomish River. A wide area of intact riparian forest with significant in-stream habitat. Includes two acres of wetlands.</p>	<p style="text-align: center;">Natural</p>

Rationale

The shorelines designated Natural are generally, ecologically intact shorelines with few modifications or structures, and have a greater potential for restoration.

Management Policies

1. Any use that would substantially degrade the ecological functions or natural character of the shoreline area should not be allowed.
2. The following new uses should not be allowed in the "natural" environment:
 - Commercial uses,
 - Agricultural uses,
 - Industrial uses,
 - Nonwater oriented recreation; or
 - Roads, utility corridors, and parking areas that can be located outside of shoreline areas designated as "natural."

3. Single family residential development may be allowed as a conditional use within the "natural" environment if the density and intensity of such use is limited as necessary to protect ecological functions, and the use is consistent with the purpose of the environment.
4. Commercial forestry may be allowed as a conditional use in the "natural" environment provided it meets the conditions of the State Forest Practices Act and its implementing rules and is conducted in a manner consistent with the purpose of this environment designation.
5. Scientific, historical, cultural, educational research uses, and low intensity water-oriented recreational access uses may be allowed, provided that no significant ecological impact on the area will result.
6. New development or significant vegetation removal that would reduce the capability of vegetation to perform normal ecological functions should not be allowed. Subdivision of property in a configuration that, to achieve its intended purpose, will require significant vegetation removal or shoreline modification that adversely impacts ecological functions should not be allowed. That is, each new parcel must be able to support its intended development without significant ecological impacts to the shoreline ecological functions.

Aquatic Environment

Purpose

The purpose of the "aquatic" environment is to protect, restore, and manage the unique characteristics and resources of the areas waterward of the ordinary high-water mark and floodway.

Designation Criteria

Lands waterward of the ordinary high-water mark should be designated Aquatic environment.

Areas Designated

Description

Portions of the Sultan, Skykomish and Wallace rivers waterward of the ordinary high water mark (OHWM) (and within the jurisdiction of this Master Program) are appropriate to be designated Aquatic.

Rationale

These areas are waterward of the ordinary high water mark.

Management Policies

1. New over-water structures should be allowed only for water-dependent uses, public access, or ecological restoration, or for transportation or utility crossing for which there is no feasible alternative.
2. The size of new over-water structures should be limited to the minimum necessary to support the structure's intended use.
3. Multiple use of over-water facilities should be encouraged in order to reduce the impacts of shoreline development and increase effective use of water resources.
4. All developments and uses on navigable waters or their beds should be located and designed to minimize interference with surface navigation, to consider impacts to public views, and to allow for the safe, unobstructed passage of fish and wildlife, particularly those species dependent on migration.
5. Uses that adversely impact the ecological functions of critical freshwater habitats should not be allowed except where necessary to achieve the objectives of the legislative findings, overarching policies, and shoreline use preferences that provide the foundation for the Shoreline Management Act (RCW 90.58.020), and then only when their impacts are mitigated according to the sequence described in WAC 173-26-201(2)(e) as necessary to assure no net loss of ecological functions.
6. Shoreline uses and modifications should be designed and managed to prevent degradation of water quality and alteration of natural hydrographic conditions.

Shoreline Environments and Specific Shoreline Developments

Chapter 6 of this Master Program establishes policies and regulations for a range of selected types of shoreline developments and activities. For each of these developments or activities, a determination is made on whether it can be permitted by a Shoreline Substantial Development Permit, a Shoreline Conditional Use Permit, or whether it is prohibited in the different shoreline environments.

Shoreline Environment Requirements: Development Standards and Specific Shoreline Development Regulation

	SHORELINE ENVIRONMENT DESIGNATION				
	Urban Center	Shoreline Residential	Urban Conservancy	Natural	Aquatic
Boating Facility					
• Boat Launch Ramps	CU	CU	CU	P	CU
• Docks	P	P	P	P	P
• Dry Boat Storage	CU	CU	CU	CU	P
• Marinas	P	P	P	P	P
Clearing and Grading	A	A	CU	CU	P
Commercial Development ¹					
• Water-dependent	A	P	CU	P	CU
• Water-related	A	P	CU	P	CU
• Water-enjoyment	A	P	CU	P	CU
• Nonwater-oriented	A	P	P	P	P
Dredging	P	P	P	P	CU
Dredge Spoil Disposal	P	CU	CU	CU	CU
Instream Structures	P	P	P	P	CU
Landfill ²	P	P	P	P	CU
Parking ⁴	A	CU	CU	CU	P
Recreation Facilities ⁵	CU	CU	CU	CU	CU
Residential Development ⁶	A	A	CU	CU	P
Shoreline Modification					
• Bulkheads	CU	CU	CU	CU	CU
• Dikes and Levees	CU	CU	CU	CU	CU
• Revetments	P	CU	CU	CU	CU
Signs ⁷	A	CU	CU	CU	CU
Stormwater Facilities	A	A/CU ⁸	CU	CU	P
Transportation	A	A/CU ⁸	CU	CU ⁹	CU
Utilities	A	A/CU ⁸	CU	CU	CU

A = May be permitted (i.e., allowed) subject to a Shoreline Substantial Development Permit conditions and provisions contained in this Master Program.

CU = May be permitted (i.e., allowed) as a conditional use.

P = Not an allowed use in this environment.

Notes

- 1 Over-water development is P, except as provided for in Chapter 6.
- 2 This activity can only be permitted in association with an approved shoreline development.
- 3 This activity can only be permitted in association with an approved shoreline development; parking as a primary use, except in the Urban Center environment, is P.
- 4 Waterward of the ordinary high water mark, no recreational buildings or structures shall be built, except water-dependent and/or water-enjoyment structures as follows: ramps, bridges, and viewing platforms.
- 5 Over-water development is P.
- 6 Signs shall comply with the specific requirements set forth in Chapter 6 and shall be permitted only in association with an approved shoreline development.
- 7 Stormwater facilities, transportation facilities, and utility facilities are permitted when associated with a development that is consistent with the provisions of this Master Program, otherwise these uses are may be permitted as a conditional use when consistent with the provisions of this Master Program.
- 8 Transportation only permitted when the road, parking or utility corridor cannot be located outside the Natural Environment per WAC 173-26-211(5)(a)(ii)(B)

Shoreline Development Standards

	SHORELINE ENVIRONMENT DESIGNATION				
	Urban Center	Shoreline Residential	Urban Conservancy	Natural	Aquatic
Riparian Buffer Setback*	50ft	150 ft	150 ft	200 ft	n/a
Building Setback**	0 ft****	20 ft	20 ft	20 ft	n/a
Building Height Limit	50 ft	30 ft	30 ft	30 ft	n/a
<u>Density</u>	n/a	6 du/acre	6 du/acre	6 du/acre	n/a
<u>Frontage Width</u>	20-100 ft	40***-60 ft	40***-60 ft	60ft	n/a
Lot Coverage	90%	35%	35%	35%	n/a

*Riparian Buffer Setbacks function as a setback from the shoreline, and are to be measured from the OHWM. Outside of the shoreline jurisdiction Critical Area Regulation buffers apply as required by SMC 16.80.150.

**Building Setbacks function as an additional setback for construction activities that is measured from the end of the riparian setback.

***In PUDs only

****The Urban Center Environment is physically separated from the shoreline. One segment is separated by the Highway 2/BNSF corridor right-of-way. The other segment is set back almost 300 feet and physically separated by a park, Snohomish County jurisdiction, and First Street.

City of Sultan Shoreline Environment Designation Map

The City of Sultan Shoreline Environment Designations depicts the areas under the jurisdiction of this Master Program and graphically portrays the boundaries of the City's five environment designations. There shall be only one official copy of this map, which shall be kept by the Administrator. This official copy shall be available for public inspection at all times during normal business hours. Unofficial copies shall be included as part of all distributed copies of this Master Program.