

ORDINANCE NO. 940

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING THE COMMUNITY DEVELOPMENT GUIDE TO REVISE THE CITY SHORELINE MASTER PROGRAM, AS ADOPTED IN 1974, SUBJECT TO APPROVAL BY THE WASHINGTON STATE DEPARTMENT OF ECOLOGY, BY AMENDING SECTIONS 20F.20.180 (15), 20C.20.060(10) AND 20C.20.080(25); REPEALING SECTIONS 20B.90.020, 20C.20.100, 20C.20.200 AND 20C.20.210; AND ADDING NEW SECTIONS 20B.90.010 - .090, 20C.20.210, 20F.20.180(30), 20F.20.180(35) AND 20F.20.180(40).

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WHEREAS, the Policy Advisory Commission has conducted two public hearings and a special study meeting for the purpose of receiving public comment upon and considering amendments to the City's Shoreline Master Program as adopted in 1974, and

WHEREAS, the Policy Advisory Commission has forwarded its recommendations to the City Council and the City Council has considered such recommendations, now, therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON,  
DO ORDAIN AS FOLLOWS:

Section 1. Section 20F.20.180(15) of the Community Development Guide is hereby amended to read as follows:

"20F.20.180(15) SCOPE - All development constitutes a substantial development and requires a permit as provided in this section if it materially interferes with the normal public use of the water or shorelines of the City or exceeds a total cost or fair market value of one thousand dollars (\$1,000) and is located within the following areas:

(a) Shoreline Areas - Lake Sammamish, its underlying land, associated wetlands, and a line 200 feet landward at the line of ordinary high water (elevation 27 feet above sea level) plus the area within the 1% probability flood plain (100-year flood plain) as defined by the best available data.

Bear, Evans, Cottage Creeks where the mean annual flow is 20.0 cubic feet per second or more, and the territory between 200 feet on either side of the top of the banks, plus associated wetlands and the area within the 1% probability flood plain (100-year flood plain) as defined by the best possible data.

Sammamish River and the territory between 200 feet on either side of the top of the banks plus associated wetlands.

(b) Adjacent Areas - Those parcels of land adjacent to the shoreline areas involving projects and developments that overlap into the shoreline areas."

Section 2. Section 20C.20.060(10) of the Community Development Guide is hereby amended to read as follows:

"20C.20.060(10) FLOODWAY FRINGE RESTRICTIONS - The following are not permitted in a 100-year floodway fringe:

(a) Except in areas designated 'Urban Environment' in Section 20B.95.030(20), 'Shoreline Environments Map,' any structure, development or landfill which would: reduce the natural floodwater storage capacity of the 100-year floodplain; pollute or contribute materially to the turbidity of floodwater at the 100-year stage; significantly change the existing 100-year hydraulic characteristics; or alter the temperature characteristics of the water body unless an improvement in fish habitats would result.

(b) Any structure which is not fully protected from water damage at the 100-year flood stage by having the lowest usable habitable or storage floor or level raised at least one foot above the 100-year flood stage level, and by floodproofing in a manner that complies with the requirements of Article 20E, 'Building and Construction Codes.'

Section 3. Section 20C.20.080(25) of the Community Development Guide is hereby amended to read as follows:

20C.20.080(25) LANDFILLS IN FLOODPLAINS - Landfills shall not be permitted in floodways but may be permitted in the floodway fringe in areas designated 'Urban Environment', in Section 20B.95.030(20), 'Shoreline Environments Map,' and in other floodway fringes subject to confirmation that an equal water storage capacity is maintained and that no significant direct or indirect damage to the watercourse, water quality, stream flow or aquatic life will occur."

Section 4. Sections 20B.90.020, 20C.20.100, 20C.20.200 and 20C.20.210 of the Community Development Guide are hereby repealed.

Section 5. The Community Development Guide of the City of Redmond, Washington is hereby amended by adding new Sections 20B.95.010 through 20B.95.080, 20C.20.210, 20F.20.180(30) 20F.20.180(35) and 20F.20.180(40) to read as set forth in that compilation entitled "Shoreline Master Program - June, 1980", three copies of which are on file in the office of the City Clerk, and a copy of which is attached to this ordinance and the corresponding sections of which are incorporated herein as if set forth in full.

Section 6. The Community Development Guide of the City of Redmond, Washington, is hereby amended by the addition of a new section 20B.95.090 thereto to read as follows:

"20B.95.090 ADDITIONAL PROVISIONS - Community Development Guide Sections 20C.20.040 'Dredging', 20C.20.060 'Floodplain Management', 20C.20.080 'Landfills' and 20E.70.200 'Forest Management' are incorporated by this reference as part of the Shoreline Master Program for the City of Redmond, Washington, as if set forth in full, and for all purposes shall be considered a part of such program."

Section 7. Pursuant to Chapter 90.58 of the Revised Code of Washington, the Planning Director is hereby instructed to forward a copy of the City's Shoreline Master Program, as amended by this ordinance, to the State of Washington, Department of Ecology for review. Upon approval of such Department, the Shoreline Management Program as amended by this ordinance shall be in full force and effect.

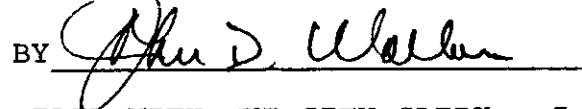
CITY OF REDMOND

  
MAYOR, CHRISTINE T. HIMES

ATTEST/AUTHENTICATED:

  
CITY CLERK, PAUL F. KUSAKABE

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY 

FILED WITH THE CITY CLERK: July 30, 1980  
PASSED BY THE CITY COUNCIL: August 26, 1980  
SIGNED BY THE MAYOR: August 26, 1980  
PUBLISHED: September 3, 1980  
EFFECTIVE DATE: September 8, 1980

TO : Mayor Himes and Redmond City Council  
FROM : Kay Shoudy, Senior Planner  
DATE : June 30, 1980  
SUBJECT : DGA 80-1 Shoreline Master Program  
REQUESTED ACTION : Motion directing City Attorney to prepare Ordinance adopting the amended Shoreline Master Program, subject to final approval by the State Department of Ecology

The Shoreline Master Program was adopted by the City of Redmond in 1974 to implement the Shoreline Management Act of 1971, which mandated that local communities adopt policies and use regulations to be used in reviewing shoreline permits also required by the Act.

The permit process requires that all substantial development within shoreline area, normally 200 feet from ordinary high water on designated lakes and streams be subject to review by the City of Redmond. Public notice of proposed development is given, and the permit is approved or disapproved by the Technical Committee. Following approval, the permit is submitted to the State Department of Ecology for review within a 30 day time period before the permit is issued.

The Master Program provides guidelines for the permit review process. It is organized as follows:

1. Goals and Policy Statements for Plan Elements

The elements to be addressed are defined in state law as follows: Economic development, public access, circulation, recreation, shoreline use, conservation, historical/cultural.

2. Policy Statements for Use Activities

The Use Activities are specific land use regulations related to shoreline development. They are also defined by state law. The policy statements are intended to provide guidelines for development of the use regulations.

3. Environment Designations

Although not intended to be zoning districts, the shoreline environments are general classifications which control the types of land uses allowable within shoreline areas. They are as follows: Urban, Rural, Conservancy and Natural. (Please see Section 20B.95.030(15) for a definition of the environmental designation.)

4. Use Activities

The use activities represent specific criteria upon which judgements for proposed shoreline developments are based, and define conditions to be imposed on developments.

5. Administrative Procedures

This section of the Master Program defines the procedure to be followed for shoreline permits, defines the area to be regulated within the shorelines, and provides for consideration of variances and conditional use permits.

Upon adoption of the Community Development Guide, only certain portions of the Master Program were included. The format used in the Development Guide, which was intended to consolidate land use and shoreline management, was not acceptable to the State Department of Ecology because it did not meet the minimum requirements for Shoreline Master Programs. Under the provisions of the Shoreline Management Act the Shoreline Master Program must maintain its integrity as a separate program of enforcement and management. At the present time, the original Shoreline Master Program is the only program recognized by the State of Washington.

The amendments now proposed incorporate in the format of the Community Development Guide the pre-existing Master Program and the revised sections previously adopted in the Community Development Guide, with minor revisions to clarify the language.

The Policy Advisory Commission held two public hearings on the Shoreline Amendments, and a special study meeting to which they invited former members of the Citizen's Advisory Committee who worked on the original Master program. It was the consensus of the Policy Advisory Commission, after discussing the program, that significant amendments to the Master Program were not required and that the Master Program adopted in 1974 was still basically sound. At their meeting on June 11, the Policy Advisory Commission unanimously adopted the proposed Shoreline Amendments with minor corrections.

If the proposed Shoreline Amendments are adopted by the City Council, they must be transmitted to the State Department of Ecology for final approval. The revisions do not become effective until 30 days following the final order by D.O.E. adopting the revisions.

*Kay L. Shoudy*  
KAY L. SHOUDY, Senior Planner  
KLS:jf

Attachments:

1. Attachment A summarizes all changes required to consolidate sections now existing in the Community Development Guide with the Shoreline Master Program. (a) Exhibit A - Shoreline Environments Map.  
(b) Exhibit B - Annexed Shorelines Map.

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June 10, 1980  
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2. Attachment B is the text and map for the proposed Shoreline Master Programs as it would appear if adopted as part of the Community Development Guide.

*Dated: June 1980*

ATTACHMENT A

SHORELINE MASTER PROGRAM  
PROPOSED DEVELOPMENT GUIDE AMENDMENTS  
DGA-80-1

1. Incorporate new Sections and subsections as follows: (text attached)

- 20B.95.010 SHORELINE MASTER PROGRAM -  
Purpose and Scope
- 20B.95.020 SHORELINE INVENTORY
- 20B.95.030 SHORELINE ENVIRONMENTS (AND MAP, EXHIBIT A)
- 20B.95.040 MASTER PROGRAM ELEMENTS
- 20B.95.050 USE ACTIVITY REGULATIONS
- 20B.95.060 SHORELINES OF STATEWIDE SIGNIFICANCE
- 20B.95.070 GOALS AND POLICIES FOR SHORELINE ELEMENTS
- 20B.95.080 POLICIES FOR USE ACTIVITIES
- 20C.20.210 SHORELINE USE REGULATIONS
- 20F.20.180(30) Shoreline Variance
- 20F.20.180(35) Conditional Use Permit
- 20F.20.180(40) Final Action on Variances and Conditional Use Permits

2. Delete the following sections:

- P. B-78 20B.90.020 SHORELINE ENVIRONMENTS
- P. C-36 20C.20.100 MARINE STRUCTURES
- P. C-45 20C.20.200 SHORELINE PROTECTIVE STRUCTURES
- P. C-45 20C.20.210 SHORELINE REGULATIONS OF GENERAL APPLICATION

3. Revise the following sections:

P. F-17, Section 20F.20.180, part 20.180(15)(a), rewrite to read as follows:

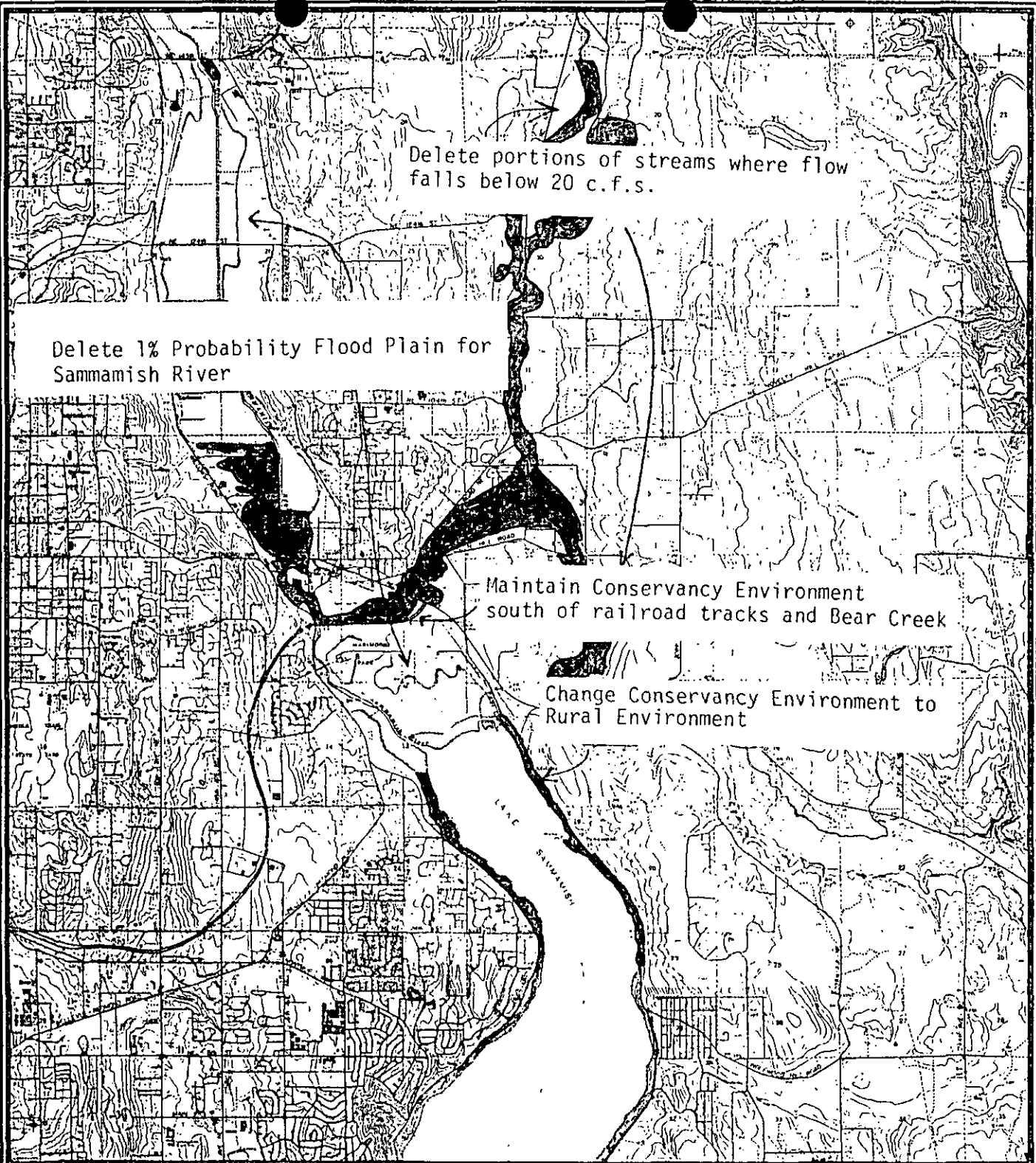
(a) Shoreline Areas:

- . Lake Sammamish, its underlying land, associated wetlands, and a line 200 feet landward at the line of ordinary high water (elevation 27 feet above sea level) plus the area within the 1% probability flood plain (100-year flood plain) as defined by the best available data.
- . Bear, Evans, Cottage Creeks where the mean annual flow is 20.0 cubic feet per second or more, and the territory between 200 feet on either side of the top of the banks, plus associated wetlands and the area within the 1% probability flood plain (100-year flood plain) as defined by the best possible data.

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Proposed Development Guide Amendments  
DGA-80-1  
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- . Sammamish River and the territory between 200 feet on either side of the top of the banks, plus associated wetlands.
  - P. C-33, Sec. 20C.20.060(10)(a), line 2, change reference to Sec. 20B.95.030(20), "Shoreline Environments Map."
  - P. C-34, Sec. 20C.20.080(25) line 4, change reference to Sec. 20B.95.080(20), "Shoreline Environments Map."
4. Adopt sections already incorporated in the Community Development Guide as part of the Shoreline Master program:
- P. C-32 20C.20.040 DREDGING
  - P. C-33 20C.20.060 FLOODPLAIN MANAGEMENT
  - P. C-34 20C.20.080 LANDFILLS
  - P. E-13 20E.70.200 FOREST MANAGEMENT
5. Amend Table of Contents
6. Adopt Environmental designations for shorelines annexed to the City of Redmond (A-77-5, A-78-8). See Map, Exhibit B.





Delete portions of streams where flow falls below 20 c.f.s.

Delete 1% Probability Flood Plain for Sammamish River

Maintain Conservancy Environment south of railroad tracks and Bear Creek

Change Conservancy Environment to Rural Environment



Redmond

# SHORELINE ENVIRONMENTS

Part of Sec 20B.95.030(20)

*Dated: 8/1/80*







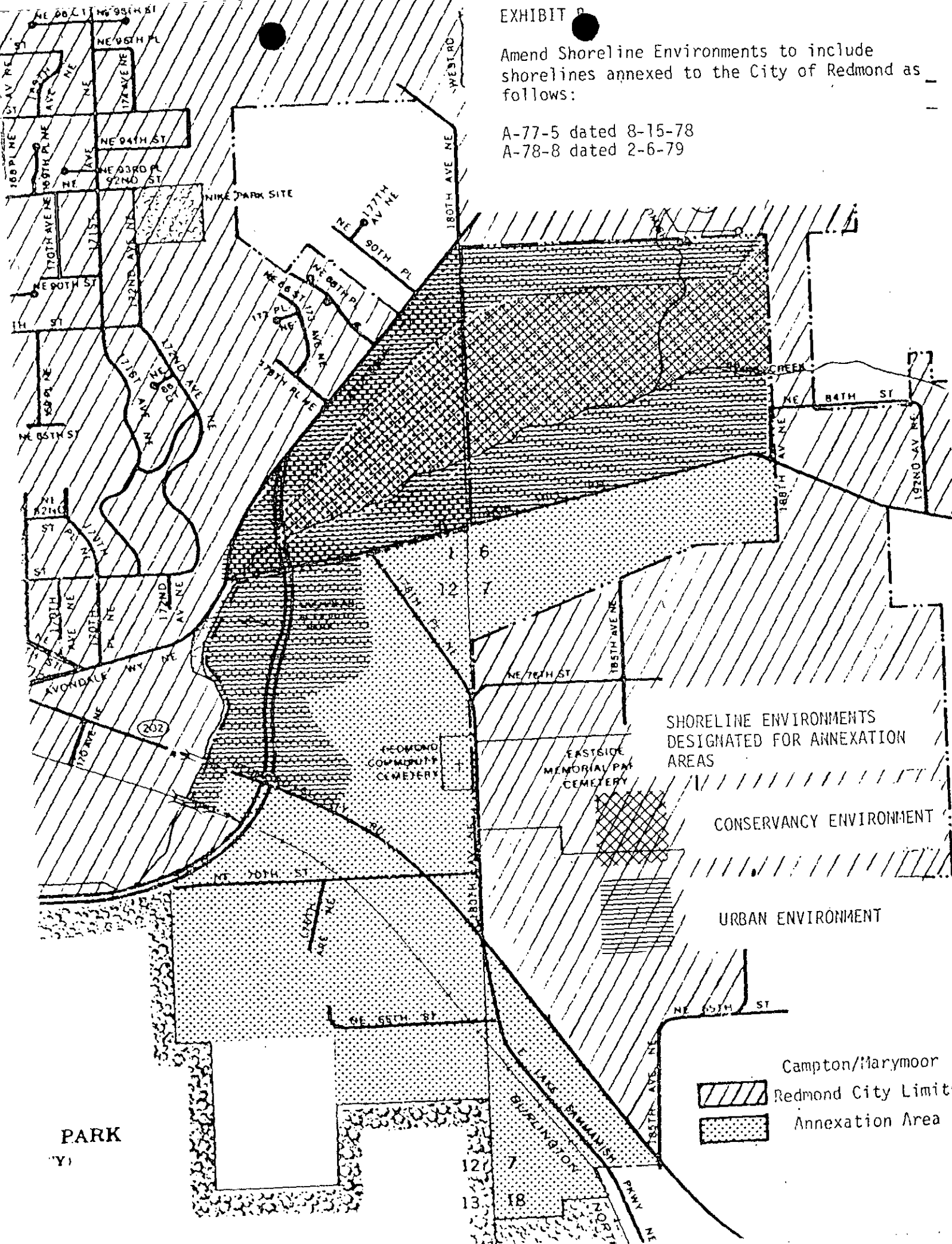
-  urban
-  rural
-  conservancy
-  natural

EXHIBIT B

Amend Shoreline Environments to include shorelines annexed to the City of Redmond as follows:




A-77-5 dated 8-15-78  
A-78-8 dated 2-6-79



SHORELINE ENVIRONMENTS DESIGNATED FOR ANNEXATION AREAS

CONSERVANCY ENVIRONMENT

URBAN ENVIRONMENT

 Campton/Marymoor  
 Redmond City Limits  
 Annexation Area

PARK

12 7  
13 18

20B.95.010 PURPOSE AND SCOPE

20B.95.010 SHORELINE MASTER PROGRAM

20B.95.010 PURPOSE AND SCOPE

The purpose of the Shoreline Master Program is to implement the Shoreline Management Act of 1971, which is based on the philosophy that the shorelines of the state are among the most valuable and fragile of its natural resources, and that there is great concern throughout the state relating to their utilization, protection, restoration and preservation.

The basic intent of this law is to protect the public interest in the state's shorelines by coordinated planning while at the same time recognizing and protecting private property rights consistent with the public interest. The policies of the Act are directed to public use and enjoyment of shorelines rather than restriction of their use. Uses of the shorelines of the state must be designed and conducted in a manner which will minimize damage to the ecology and environment of the shoreline areas.

The shorelines of the state are defined by state law and include in the City of Redmond all lands within 200 feet of the line of ordinary high water on Lake Sammamish, the Sammamish River, Bear and Cottage Creeks, including the marshlands in Happy Valley and the 100-year floodplain in designated areas.

Lake Sammamish and its shore are shorelines of statewide significance and will be given special consideration.

20B.95.020 SHORELINE INVENTORY

A shoreline inventory has been completed by the City of Redmond which evaluates the natural characteristics of shorelines areas and compiles information on existing zoning, land uses and ownership patterns. The inventory and field inspections are the basis for designation of shoreline environments.

95.030(05) Purpose - In order to plan and effectively manage shoreline resources, a system of categorizing shoreline areas is necessary. This system of describing environments is designed to aid in providing a basis for applying policies and regulations within distinctively different shoreline areas. Under the state guidelines, shorelines can be classified into four types of environments (Natural, Conservancy, Rural and Urban) based on the pattern of existing development, biophysical capabilities and limitations, and the goals, policies and plans of the City.

95.030(10) Criteria - The following items were examined and used as criteria to designate the shoreline environments contained in Subsection 95.030(20), "Shoreline Environments Map."

(a) Natural Features - Biophysical capabilities, physical limitations and natural features such as wetlands, floodplains, unstable soils, agricultural soils, view protection and fish and wildlife habitats.

(b) Land Use Patterns - Existing land use patterns, zoning and proposed plans.

(c) Goals, Policies and Plans - Articles 20B and 20C of the Development Guide and King County's Comprehensive Plan, Zoning Code and Shoreline Management Master Program.

95.030(15) Definition and Intent - The shoreline environments are described as follows:

(a) Natural Environment - The natural environment includes land which has unique biologic, geologic and scenic characteristics, where any disturbance would remove permanently the area's capability of providing generally recognized, worthwhile experience for present and future populations.

It is intended to preserve and restore those natural resource systems existing relatively free of human influence.

(b) Conservancy Environment - The conservancy environment includes land which has healthy, ongoing biological characteristics that can only be protected by strict regulations.

The objective of the conservancy environment is to protect, conserve and manage existing natural resources and valuable historic and cultural areas in order to ensure a continuous flow of recreational benefits to the public and to achieve sustained resource utilization.

(c) Rural Environment - The rural environment includes agricultural lands which have regionally unique soils for agricultural production, areas where it cannot be demonstrated that such land is absolutely needed for urban expansion, and lands more suitable for low density residential development.

It is intended to protect agricultural land from urban expansion, restrict intensive development along undeveloped shorelines, function as a buffer between urban areas and maintain open spaces and opportunities for recreational uses compatible with agricultural activities.

(d) Urban Environment - The urban environment includes areas which show demonstrably clear evidence that the character of the land in association with other urbanization factors, such as adjacent land uses and capital improvements, show the land to serve its highest social value if used for urban purposes.

It is intended to ensure the best utilization of shorelines within urbanized areas by providing for intensive public use and by managing development so that it enhances and maintains shorelines for a multiplicity of urban uses.

95.030(20) Shoreline Environments Map - The shoreline environments are designated on the map entitled, "Shoreline Environments," incorporated as a part of this paragraph.

95.030(25) Permitted Use Activities - The relationship of shoreline environments to the use activities is defined in the chart titled "Permitted Uses in Shoreline Environments."

USE ACTIVITIES	ENVIRONMENTS				REFER TO SECTION NO:
	Natural	Conserv.	Rural	Urban	
Agriculture	X	O	O	O	20C.20.210(15)
Aquaculture	X	O	O	O	20C.20.210(20)
Forest Management	X	O	O	O	20C.20.210(35)
Commercial Development	X	X	O	O	20C.20.210(25)
Marinas, Boat Ramps & Launching Sites	X	O	O	O	20C.20.210(40)
Mining	X	X	X	X	20C.20.210(45)
Outdoor Advertising, Signs, Billboards	X	X	O	O	20C.20.210(50)
Residential Development	X	X	O	O	20C.20.210(55)
Utilities	O	O	O	O	20C.20.210(65)
Parts & Water Related Industry	X	X	O	O	20B.95.080(55) 20B.95.080(60)
Shoreline Protective Structures	O	O	O	O	20C.20.210(60)
Landfill	X	O	O	O	20C.20.210(30)
Solid Waste Disposal	X	X	X	X	20C.20.210(70)
Dredging	X	X	O	O	20C.20.210(75)
Road and Railroad Construction	X	O	O	O	20C.20.210(80)
Piers & Docks	X	O	O	O	20C.20.210(40)
Navigation, Boats Non-powered	O	O	O	O	20C.20.210(85)
Navigation, Powered Boats & Seaplanes	X	O	O	O	20C.20.210(85)
Archaeological Areas & Historic Sites	O	O	O	O	20B.95.080(90)
Recreation	O	O	O	O	20C.20.210(85)

O Use activity which is permitted in the environment subject to regulatory controls

X Use activity which is prohibited in the environment

20B.95.040 MASTER PROGRAM ELEMENTS

Consistent with the Shoreline Management Act of 1971, goals and policies will be adopted for each of the following elements: economic development, public access, recreation, circulation, shoreline use, conservation, historical/cultural. In addition policies will be defined for Shorelines of Statewide Significance, and to guide the development of use activity regulations.

20B.95.050 USE ACTIVITY REGULATIONS

The use activity regulations are derived directly from the policies that apply to activities within each environmental designation. The relationship of the use activities to the environmental designations is shown in the table titled "Use Activity and Environmental Designations." The use regulations are part of the General Development Requirements, Section 20C.20, and reference to applicable sections is shown on the table.

20B.95.060 SHORELINES OF STATEWIDE SIGNIFICANCE

Recognizing that Lake Sammamish is a shoreline of statewide significance, the City of Redmond shall give preference to uses which meet the following criteria in order of priority:

- . Recognize and protect the statewide "general" interest over local interest.
- . Preserve the natural character of the shoreline.
- . Favor long-term over short-term benefit.
- . Protect the resources and ecology of the shoreline.
- . Increase public physical and visual access to publicly owned areas of the shorelines.
- . Increase recreational opportunities for the public along the shorelines of the Redmond Planning Area.
- . Provide for any other element as defined in RCW 90.58.100 deemed appropriate or necessary.

20B.95.070 GOALS AND POLICIES FOR SHORELINE ELEMENTS

95.070(05) Goals for Economic Development

(a) Allow economic development along the shorelines and adjacent uplands that will maintain and enhance the quality of life for the residents of Redmond with minimum disruption of the environment.

(b) Encourage economic development to provide public recreational facilities consistent with shoreline goals and policies.

(c) Encourage inland location of commercial and industrial land uses consistent with the City of Redmond Land Use Plan.

95.070(10) Policies for Economic Development

(a) Allow only commercial and industrial developments which by virtue of their location and inherent nature will have minimum impact on the environment.

(b) Encourage a variety of economic uses along the shoreline that would provide public access to the shoreline and enhance the vitality of shoreline development.

(c) Economic development should be encouraged to locate in centers where development already occurs.

(d) Assure that businesses seeking waterfront locations are water-related. All facilities not requiring a shoreline location should be located in other areas unless it can be demonstrated that such areas are not feasible for the use intended.

(e) The visual aspects of commercial and industrial developments should be harmonious with the shoreline amenities.

95.070(15) Goals for Public Access

(a) Provide for the optimum amount of public access, both physical and visual, to the shorelines.

(b) Assure safe, convenient and diversified access for the public to the shorelines; assure that the intrusions created by public access will not endanger life, property or have adverse effects on fragile natural features.



95.07(20) Policies for Public Access

(a) Public owned rights-of-way to and along the public shoreline should be made available for appropriate intensity of public pedestrian access.

(b) Provide standards and criteria for protection of view and visual access of the shoreline from upland areas.

(1) The profile of water oriented buildings and structures should be as low as feasible.

(2) Buildings and structures should be placed in such a manner to preserve visual access from upland areas.

(c) Encourage linkage of shoreline parks and public access points through the use of hiking and bicycle paths.

(1) Trails should be developed for linear access through public shoreline areas, commensurate with the carrying capacity of the water and the adjacent lands.

(2) Access points to and along the shoreline should be linked by a system of trails on publicly owned right-of-way.

(d) Public access into unique or fragile areas should be controlled.

(e) Economic activities should be designed to allow substantial public access to the shoreline.

(f) Buildings and structures should be excluded from the water's edge, except those which depend on shoreline locations.

(g) Prohibit off-premise signs and regulate other signs to enhance and protect views.

(h) Indicate by use of signs and graphics all publicly owned or controlled shoreline.

(i) Parking facilities for motor vehicles or trailers should be discouraged from having a shoreline orientation.

(j) Upland parking facilities for shoreline activities should provide adequate pedestrian access to the shoreline and should be designed and landscaped to minimize adverse impacts on adjacent lands. Incentives should be offered to property owners for utilizing setback areas.

95.070(25) Goals for Shoreline Circulation

(a) Promote safe, convenient and balanced circulation systems that assure efficient movement of people, goods and services with minimum disruption of shoreline uses.

(b) Allow those facilities which fulfill a need that can only be satisfied by such use on the shorelands as opposed to an upland use.

(c) Encourage circulation within existing corridors.

95.070(30) Policies for Shoreline Circulation

(a) When circulation developments are deemed necessary in shoreline areas, they shall be regulated to assure minimum negative impacts both during construction and use.

(b) Circulation patterns near the shoreline should be designed for slow traffic and should meet high scenic design standards.

(1) Existing fast-traffic corridors should be converted to the above.

(2) Fast-traffic corridors should be located upland.

(c) Parking facilities should be located upland, with adequate pedestrian access and landscaping to minimize impact on the shoreline and the adjacent land.

(d) Encourage public transportation to public recreation areas.

(e) Bridges.

(1) Any proposal to bridge Lake Sammamish should be discouraged.

(2) Road bridges across the Sammamish River and the creeks should be limited in number.

(f) Encourage the conversion of abandoned railroad rights-of-way near the shorelines to footpaths and bicycle trails.

95.070(35) Goals for Recreation

(a) Increase the amount of shorelines dedicated to public recreation.

(b) Increase recreational opportunities for the public along the shorelines of the Redmond Planning Area.

95.070(40) Policies for Recreation

(a) The public should seek to buy shoreland as it becomes available for sale, based on an acquisition plan with clear public intent.

(b) Ensure that any recreational use is consistent with the physical ability of the shoreline and water body to support such use.

(1) Facilities for intensive recreational activities should be provided where sewage disposal and vector control can be accomplished to meet public health standards without adversely altering the natural features attractive for recreational uses.

(2) In locating proposed recreational facilities such as playing fields and golf courses and other open areas which use large quantities of fertilizers and pesticides in their turf maintenance programs, provisions should be made to minimize the effects of these chemicals on the quality of adjacent waters. If this type of facility is approved on a shoreline location, provision should be made for protection of water areas from drainage and surface runoff.

(c) Segregate passive and active recreational areas at shoreline locations and assure that active recreational uses do not have adverse impacts on other uses.

(1) Recreational activities that generate excessive noise, air or water pollution should be discouraged or prohibited.

(2) Recreational activities that create hazards and risks to the public should be regulated.

(3) Power-operated water vehicles shall be excluded from streams.

(d) Encourage subdivisions with waterfront to provide waterfront recreational area for the whole subdivision.

(e) Encourage linkage of shoreline parks and public access points through the use of hiking and bicycle paths.

(f) Provide a variety of water-related recreational opportunities.

#### 95.070(45) Goals for Shoreline Use

(a) Develop a shoreline use pattern which maintains and improves the natural and human environments.

(b) Encourage those uses which have a demonstrated need for a shoreline location.

#### 95.070(50) Policies for Shoreline Use

(a) Define appropriate use categories based upon the recognition of need for a shoreline location, desirability of multiple uses and compatibility with the shoreline environment.

(b) Permit only those uses or conditions which retain options for future generations unless immediate benefits justify the significant physical, social and/or economic loss to future generations (e.g. floats vs. piers, piers vs. fill).

(c) Encourage development in areas where adequate utilities and services are available.

(d) Develop design standards for future shoreline development.

(e) Encourage relocation of non-conforming uses or correction of non-conforming conditions.

95.070(55) Goals for Conservation

(a) Assure preservation of unique, fragile and scenic elements and of non-renewable natural resources; assure continued utilization of the renewable resources.

(b) Preserve, protect and restore areas such as those necessary for the support of wild and aquatic life or those identified as having geological, biological, scientific or educational significance.

95.070(60) Policies for Conservation

(a) Identify those areas which are necessary for the support of wild and aquatic life and those having geological, biological, scientific or educational significance and prohibit or severely restrict development in those areas.

(b) There should be no reduction in the water surface areas of shoreline except to enhance aquatic life.

(c) Public access in the unique or fragile areas should be restricted.

(d) The diversity of aquatic life and wildlife of the shoreline should be encouraged.

(e) Existing and future users of shorelines should design facilities and regulate activities to minimize adverse effects on the natural systems.

(f) Identify development sites that are physically suitable, and exclude from, or strictly regulate development in problem areas such as steep slopes, floodplains and ecologically fragile areas to assure minimum disruption of environment.

(g) Require developments to protect and enhance the aesthetic characteristics of shorelines.

(h) Activities within all drainage basins related to shorelines should be considered as an integral part of shoreline planning.

(1) Soil erosion and sedimentation which adversely affects the shorelines should be prevented.

(2) The destruction of water-courses feeding into the shorelines should be minimized.

(3) Outfalls and surface runoff should be controlled to minimize adverse effects on water quality and quantity and shoreline.

(4) Surface runoff should be controlled to approximate natural runoff to the extent feasible.

(i) Provide regulations to establish effective sanitation measures to assure continued protection for water quality.

(j) Identify methods by which public and private shoreline owners or community groups may encourage wild, aquatic and botanic life without unduly interfering with existing activities and require such methods when appropriate.

(k) Ensure that any use is consistent with the physical ability of the shoreline and water body to support such use.

95.070(65) Goals for Historical/Cultural Uses

(a) Identify, preserve, restore and protect those aspects, sites and areas of shoreline having historic or cultural significance.

95.070(70) Policies for Historical/Cultural Uses

(a) Suspected significant sites and newly discovered sites should remain free of other intrusions until their value for retention is determined and alternatives are explored.

(b) The existence of a determined significant site need not preclude all other uses of an area but rather be considered as requiring multiple use of the site area.

20B.95.080 POLICIES FOR USE ACTIVITIES

95.080 Purpose - The policies in this section are designed to provide guidelines for the regulation of use activities in the shoreline areas. The use regulations are defined in Section 20B.00.000, "General Development Requirements."

95.080(10) Agriculture - Agricultural practices are those methods used in vegetation and soil management, such as tilling of soil, control of weeds, control of plant diseases and insect pests, soil maintenance and fertilization.

(a) Policy - Identify those lands suitable for agricultural use and encourage their continued use for this purpose.

(b) Policy - Retard pollution caused by surface runoff and siltation by means of appropriate control measures.

(c) Policy - Erosion control measures should conform to guidelines and standards established by the Soil Conservation Service and the U.S. Department of Agriculture.

(d) Policy - Pesticides, chemicals and fertilizers are to be used, handled and disposed of in a manner to minimize contamination and sanitation problems.

(e) Policy - Livestock waste should be disposed of in a manner that will minimize surface and ground water pollution.

(f) Policy - Diversion of waters for agricultural purposes should be done only in accordance with water-right procedures.

95.080(15) Aquaculture - Aquaculture is the culture or farming of food fish, shellfish, or other aquatic plants and animals. Potential locations for aquacultural enterprises are relatively restricted due to specific requirements for water quality, temperature, flows, oxygen content, and in marine waters, salinity.

(a) Policy - Since aquaculture is still in the formative state and experimental, latitude should be allowed to foster its potential economic impact.

(b) Policy - Any possible detrimental impact of aquaculture should be minimized.

(c) Policy - Identify areas possessing the specific characteristics necessary for aquaculture and designate them for potential aquaculture use.

12 95.080(20) Forest Management Practices -

Forest Management practices are those methods used for the protection, production and harvesting of timber. Trees along a body of water provide shade which insulate the waters from detrimental temperature change and dissolved oxygen release. A stable water temperature and dissolved oxygen level provide a healthy environment for fish and other more delicate forms of aquatic life. Poor logging practices on shorelines alter this balance.

(a) Policy - Logging should be avoided on shorelines with slopes of such grade that potentially harmful volume of sediment runoff will be precipitated, unless adequate restoration and erosion control can be expeditiously accomplished.

(b) Policy - Shoreline areas having well-known scenic qualities, such as those providing a diversity of views, and unique landscape panoramas, should be maintained as scenic views. Timber harvesting practices, including road construction and debris removal, should be closely regulated so that the quality of the view and viewpoints in shoreline areas are not degraded.

(c) Policy - Special attention should be directed in logging and thinning operations to prevent the accumulation of slash and other debris in contiguous waterways.

(d) Policy - Ensure that timber harvesting on shorelines of statewide significance does not exceed the limitations established in RCW 98.58.150 except in cases where selective logging is rendered ecologically detrimental or is inadequate for preparation of land for other uses.

(e) Policy - Logging within shoreline areas should be conducted to ensure the maintenance of buffer strips of ground vegetation, brush, alder and conifers to prevent temperature increases adverse to fish populations and erosion of stream banks.

(f) Policy - Proper road and bridge design, location and construction, and maintenance practices should be used to prevent development of roads and structures which would adversely affect shoreline resources.

(g) Policy - Reforestation should be accomplished where necessary to provide stability on areas of steep slope which have been logged. Replanted vegetation should be of a similar type, and concentration as existing in the general vicinity of the logged area.

95.080(25) Commercial Development - Commercial developments are those uses which are involved in wholesale and retail trade or business activities. The policies for commercial developments are the same as the policies for economic development.

13. 95.080(30) Marinas, Boat Ramps and Launching Sites - Marinas are facilities which provide boat launching, storage, supplies and services for small pleasure craft.

(a) Policy - Power boat marinas are considered undesirable because they would increase the volume of motor boat usage on Lake Sammamish.

(b) Policy - Public launching sites and marinas for non-motorized craft should be encouraged.

(c) Policy - Discourage public boat ramps for motorized craft in Redmond.

(d) Policy - Boats shall not discharge waste or sewage in public waters.

95.080(35) Mining - Mining is the removal of naturally occurring materials from the earth for economic use. The removal of sand and gravel from shoreline areas of Washington usually results in erosion of land and silting of water.

(a) Policy - When rock, sand, gravel and/or minerals are removed from shoreline areas, the adjacent waters should be protected from mine generated sediment, debris and deleterious effluent. This protection should include, but not be limited to, a buffer strip.

(b) Policy - Excavations for the production of sand, gravel and minerals should be done in conformance with the Washington State Surface Mining Act, and all local regulations.

(c) Policy - Restoration should meet applicable regulations.

95.080(40) Outdoor Advertising, Signs and Billboards - Signs are publicly displayed boards whose purpose is to provide information, direction, or advertising. Signs may be pleasing or distracting, depending upon their design and location. A sign, in order to be effective, must attract attention; however, a message can be clear and distinct without being offensive.

(a) Policy - Prohibit off-premise signs and regulate other signs to enhance and protect views.

(1) On-premise outdoor advertising signs should be limited to areas of high-intensity land use, such as commercial and industrial areas.

(2) Vistas and viewpoints should not be degraded and visual access to the water from such vistas should not be impaired by the placement of signs.

(3) Outdoor advertising signs (where permitted under local regulations) should be located on the upland side of public transportation routes which parallel and are adjacent to rivers and water bodies (unless it can be demonstrated that views will not be substantially obstructed).



14. (4) When feasible, signs should be constructed adjacent to existing buildings to minimize visual obstructions of the shoreline and water bodies.

(5) The City should establish physical standards for signs locating in shoreline areas.

(b) Policy - Indicate by use of signs and graphics all publicly owned or controlled shoreline.

#### 95.080(45) Residential Development

(a) Policy - Identify new residential sites that are physically suitable and exclude from, or strictly regulate residential development in problem areas such as steep slopes, flood plains and ecologically fragile areas to assure minimum disruption of environment.

(b) Policy - Design subdivisions to adequately protect and enhance the aesthetic characteristics of shorelines.

(c) Policy - Subdivisions should be designed to provide pedestrian access to the shorelines for the subdivision residents.

(d) Policy - For multiple and single-family residential developments, the water's edge should be kept free of buildings.

(e) Policy - Residential development over water should not be permitted.

(f) Policy - Residential developers should be required to indicate how they plan to preserve shore vegetation and control erosion during construction.

(g) Policy - Float homes, and boats used for residential purposes, should not be permitted.

(h) Policy - Encourage development in areas where utilities and services are available.

(1) Sewage disposal facilities, as well as water supply facilities, must be provided in accordance with appropriate state and local health regulations.

(2) Storm drainage facilities should be separate, not combined with sewage disposal systems.

95.080(50) Utilities - Utilities are services which produce and carry electric power, gas, sewage, communications and oil. At this time the most feasible methods of transmission are the lineal ones of pipes and wires.

(a) Policy - Whenever utility facilities must be placed in a shoreline area, the location should be chosen to avoid where feasible the intrusion on scenic views. These facilities should be placed underground, or designed to do minimal damage to the aesthetic qualities of the shoreline area.

15 (b) Policy - To the extent feasible, the City should attempt to incorporate major utility rights-of-way on shorelines into their program for public access to and along water bodies.

(c) Policy - Utilities should be located to meet the needs of future populations in areas planned to accommodate this growth.

(d) Policy - Whenever possible, consolidation of utilities should be encouraged.

(e) Policy - After completion of installation or maintenance of these facilities, the shoreline area should be restored to its pre-project condition. If the previous condition is identified as being undesirable, then landscaping and other improvements should be undertaken. The utilities should provide maintenance care until the newly planted vegetation is established.

(f) Policy - For waste not in the sewerage system:

(1) Develop and enforce land use controls that will minimize runoff.

(2) Whenever necessary, to protect and maintain water quality, collect and treat urban runoff before it is discharged into shoreline areas.

(3) Control runoff at its source to prevent adverse impact on surrounding areas.

(4) Create buffer areas and plant trees along lakes and rivers to control runoff and temperature problems.

(5) Develop convenient disposal systems for miscellaneous private wastes such as boat sewage holding tanks or holding tanks for trailers.

95.080(55) Ports - Ports are not a possible use activity in Redmond.

95.080(60) Water-related Industry - Policies for water-related industry are the same as policies for Shoreline Uses, Section 95.070(50).

95.080(65) Shoreline Protection: Bulkheads, Breakwaters, Jetties, Groins and Other Structures, Flood Protection and Streamway Modifications -

Bulkheads or seawalls are structures erected parallel to and near the high-water mark for the purpose of protecting adjacent uplands from the action of waves or currents. Bulkheads are constructed of steel, timber or concrete piling, and may be either of solid or open-piling construction.

Breakwaters are another protective structure usually built offshore to protect beaches, bluffs, dunes or harbor areas from wave action.

Jetties and groins are structures designed to modify or control sand movement. A jetty is generally employed at inlets for the purpose of navigation improvements.

Flood protection and streamway modifications are those activities occurring within the streamway and wetland areas which are designed to reduce overbank flow of high waters and stabilize eroding streambanks.

(a) Policy - Bulkheads should be located and constructed in a manner which will not adversely affect nearby beaches or public access to publicly owned shorelines. Bulkheads should blend in with the surroundings minimizing alterations of the natural shoreline, and should not detract from the aesthetic qualities of the shoreline.

(b) Policy - Bulkheads should be constructed in such a way as to minimize damage to fish habitats. Bulkheads at the water's edge should preferably be constructed of rock riprap, and all faces should be sloped or positioned to minimize the transmission of wave energy to adjacent property. In alluvial areas or other such areas where rats may nest, bulkheads should be grouted.

(c) Policy - The construction of bulkheads should be permitted only where they provide protection to upland areas or facilities.

(d) Policy - There should be no construction of jetties, groins, or other protective structures unless there is a demonstrated need for such structures and no preferable alternatives are available.

(e) Policy - Riprapping and other bank stabilization measures should be located, designed and constructed to avoid channelization and to protect the natural character of the streamway

(f) Policy - In unprotected flood plain, land use regulations should be drafted to provide adequate open corridors for the purpose of minimizing bank erosion, channel shift and increased runoff. Structures built on the flood plain should comply with the regulations of King County Hydraulic Department.

(g) Policy - Flood protection measures which result in channelization should be avoided.

95.080(70) Landfill - Landfill is the creation of dry upland area by the filling or depositing of sand, soil or gravel into a wetland area. Landfills also occur to replace shoreland areas removed by wave action or the normal erosive processes of nature. However, most landfills destroy the natural character of land, create unnatural heavy erosion and silting problems and diminish the existing water surface.

(a) Policy - Landfill should be permitted only where no other possible alternatives exist. In evaluating fill projects and in designating areas appropriate for fill, such factors as total water surface reduction, navigation restriction, impediment to water flow and circulation, reduction of water quality and destruction of habitat should be considered. Operations should satisfy the guidelines under WAC 173-16-060(14).

(b) Policy - Landfill should be restricted in marshes, bays, and other areas necessary for the maintenance of the desirable features of the shoreline.

(c) Policy - Shoreline fills or cuts should be designed and located so that significant damage to existing ecological values or natural resources, or alteration of local currents will not occur, creating a hazard to adjacent life, property, and natural resource systems.

(d) Policy - All perimeters of fills should be provided with vegetation, retaining walls or other mechanisms for erosion prevention.

(e) Policy - Fill materials should be of such quality that it will not cause problems of water quality. Shoreline areas are not to be considered for sanitary landfills or the disposal of solid waste.

(f) Policy - Filling in flood plain areas shall be by Department of Ecology permit only, and shall not be allowed if reduction of flood water storage capacity might endanger other areas.

95.080(75) Solid Waste - Solid waste disposal should be prohibited in the shorelines.

95.080(80) Dredging - Dredging is the removal of earth, sand and/or gravel from the bottom of a stream, river, lake, bay or other water body for the purposes of deepening a navigational channel or to obtain use of the bottom materials for landfill. A significant portion of all dredged materials are deposited either in the water or immediately adjacent to it, often resulting in problems of water quality.

(a) Policy - The City should control dredging to minimize damage to existing ecological values and natural resources of both the area to be dredged and the area for deposit of dredged materials.

(b) Policy - The City should develop long-range plans for the deposit and use of spoils on land. Spoil deposit sites in water areas should also be identified by the City in cooperation with the state departments of natural resources, game and fisheries. Depositing of dredge material in water areas should be allowed only for habitat improvement, to correct problems of material distribution adversely affecting fish and shellfish resources, or where the alternatives of depositing material on land is more detrimental to shoreline resources than depositing it in water areas.

(c) Policy - Dredging of bottom materials for the single purpose of obtaining fill material should be discouraged.

95.080(85) Road and Railroad Design and Construction -

(a) Policy - When circulation developments are deemed necessary in shoreline areas, they shall be regulated to assure minimum negative impacts both during construction and during use.

(1) Roads located in wetland areas should be designed and maintained to prevent erosion and to permit a natural movement of ground water.

(2) All debris, overburden, and other waste materials from construction should be disposed of in such a way as to prevent their entry by erosion from drainage, high water or other means into any water body.

(3) Road locations should be planned to fit the topography so that minimum alterations of natural conditions will be necessary.

(4) All roads should be designed and maintained to prevent the backup of surface water and creation of drainage problems on adjacent lands.

(b) Policy - Circulation patterns near the shoreline should be designed for slow traffic and should meet high scenic design standards.

(1) Arterials should be located upland.

(c) Scenic corridors with public roadways should have provision for safe pedestrian and other nonmotorized travel. Also, provision should be made for sufficient view points, rest areas and picnic areas in public shorelines.

(d) Bridges:

(1) Any proposal to bridge Lake Sammamish should be denied.

(2) Road bridges across the Sammamish River and the creeks should be limited in number.

95.080(90) Piers and Docks - A pier or dock is a structure built or floating upon the water, used as a landing place for marine transport or for recreational purposes. While floating docks generally create less of a visual impact than those on piling, they constitute an impediment to boat traffic and shoreline trolling.

(a) Policy - Construction of new or expanded piers and docks should generally be discouraged.

(b) Policy - The cooperative use of piers and docks should be encouraged.

(c) Policy - Regulations establishing standards governing the design of piers and docks, including criteria for length, width, location, density and floating versus pile construction should be adopted.

95.080(95) Archeological Areas and Historic Sites - Archeological areas, ancient villages, military forts, old settlers' homes, ghost towns, and trails were often located on shorelines because of the proximity of food resources and because water provided an important means of transportation.

(a) Policy - Potentially significant historical and archeological sites and newly discovered sites should remain free of other intrusions until their value for retention is determined and alternatives are explored.

(b) Policy - The existence of a determined significant historical and archeological site need not preclude all other uses of an area, but rather be considered as requiring multiple use of the site area.

95.080(100) Recreation - The policies for recreation use activities are the same as those for the Recreation Element, Section 20B.95.070(40).

20C.20.210 SHORELINE USE REGULATIONS

20.210(05) Scope - The requirements of this section apply to all developments within shoreline areas. Where conflicts exist between shoreline regulations and other land use zones the shoreline regulations shall prevail.

20.210(10) Regulations of General Application

(a) Access to the Water's Edge - Access to the water's edge shall be provided for all users/occupants of developments in shoreline areas.

(b) Water Quality Standards - All federal and state water quality and effluent standards shall be met.

(c) Pesticide and Fertilizer Use - The use of pesticides, herbicides and/or fertilizers shall comply with regulations of responsible agencies, i.e. the Washington State Department of Agriculture, Washington State Departments of Ecology and Fisheries, and the Federal Environmental Protection Agency.

(d) Disturbance of Natural Areas - Stream bed and lake bottom disturbance shall be minimized. Wildlife and aquatic habitats shall be protected and improved. Fish spawning grounds shall not be harmed. Scenic views shall be maintained. Natural vegetation shall be preserved where possible. Natural site characteristics shall be utilized in proposed development.

(e) Floodplain Management - Floodplain management regulations are defined in Section 20C.20.060.

(f) Site requirements (setbacks, building height) are defined in Section 20C.10.250(10).

Parking facilities are prohibited in the water-front building setbacks established in this section. All setbacks shall be measured from the line of ordinary high water.

20.210(15) Agricultural Uses

(a) Structures for feeding, housing and care of hooved animals shall be set back a minimum of fifty (50) feet from any property line and one hundred (100) feet from the ordinary high water mark of the river. Such operations include the establishment of feeding pens or other confinement lots for livestock of any kind equivalent to ten (10) or more head of mature cattle which concentrate their wastes in an area less than one acre. Equivalency is based upon the estimated equivalent of animal waste.

(b) At least 100 feet of natural or planted ground cover between confinement lots and streams shall be provided.

20.210(20) Aquaculture - In order to determine all pertinent factors for specific proposals, a special development permit shall be required for aquaculture activities.

20.210(25) Commercial Development

(a) Commercial developments should enhance or compliment the environment of the site and shall avoid a gaudy appearance in design or materials.

(b) Setbacks shall be 75 feet from the line of ordinary high water for neighborhood business or commercial office zones. The set back shall be 100 feet in all other commercial and industrial districts.

(c) Outdoor storage of materials and outdoor retailing or wholesaling are prohibited uses within one hundred (100) feet of the shoreline, except for small scale retail activities related to pedestrian uses of the waterfront.

(d) Development plans must clearly show what steps are being taken to protect the environmental character of the shoreline area, i.e. retention of natural buffer strips, oil separators in parking lot drainage systems, etc.

(e) Vehicular parking areas shall be permitted only when accessory to a Commercial use.

Parking facilities are prohibited in waterfront building setbacks.

20.210(30) Landfills - Landfills are regulated in part 20C.080 of this section.

20.210(35) Forest Management Regulations - Forest management practices are regulated in Section 20E.70.200 of the Building and Construction Codes.

20.210(40) Marine Structures

(a) Restricted Locations - Piers, floats, marinas, boat ramps, boat launches and man-made channels, are not permitted in the following locations:

- . Fish spawning areas and fish and aquatic mammal habitats or nesting areas as determined by the State Departments of Fish and Game;
- . Within 100 feet of a public swimming beach unless the pier is publicly-owned;
- . Areas where beach, shoreline or channel bank erosion is likely to occur or where considerable quantities of beach and bank materials and sediment are likely to be lost to the shoreline system due to the amount of unconsolidated materials, unstable conditions, wave energy, shoreline configuration, wind strength and direction, and river, stream or lake current.



(b) Marinas in Publicly-Owned Facilities - Marinas, boat ramps and boat launch sites located in publicly-owned facilities such as parks, must be available to the general public with no preference for private clubs or groups.

(c) Pier Length - The maximum pier length from the shoreline shall be the lesser of eighty (80) feet or a length necessary to reach a thirteen (13) foot water depth at ordinary high water.

(d) Maximum Pier Coverage - The maximum water coverage by piers and floats shall be the lesser of 20% of the area bounded by the line of ordinary high water, the waterward projection of the side property lines, and the waterward extremity of the pier projected parallel to the line of ordinary high water or 450 square feet.

(e) Number of Piers - There shall be no more than one pier per waterfront lot or ownership in single family zones. In Urban Residence and Multiple Residence zones there shall be no more than one pier per 75 feet of waterfront. Small finger piers attached to the main pier are excluded from this requirement.

(f) Marine Structures in Residential Districts -

(1) Marine Accessory Structures on Shorelands - Residential marine accessory structures, such as boathouses, may extend waterward to the line of ordinary high water on Lake Sammamish provided that they are at least twelve (12) feet from a side property line, unless they are a joint use facility. Marine accessory structures shall not exceed ten (10) feet in height and shall be included in the maximum lot average restrictions of the zone in which located.

(2) Marine Accessory Structures Over Water - Residential marine accessory structures over water on Lake Sammamish shall have a height limit of three (3) feet above the ordinary high water, except for railings and storage bins which shall not project more than four (4) feet above a deck surface.

(3) Joint Use Accessory Structures - Accessory structures that serve more than one adjoining waterfront lot may be constructed with a zero side setback from the common boundary, provided that the owners of such property enter into a reciprocal use agreement recorded with the King County Auditor.

(g) Waterfront Setback Exemption - Marine structures are not subject to the waterfront setbacks of Section 20C.10.250, "Site Requirements."

20.210(45) Quarrying and Mining - Quarrying and mining are not permitted within the shorelines.

20.210(50) Outdoor Advertising and Sign Regulations

(a) Off-premise and rooftop advertising signs are prohibited. Over-water signs are prohibited unless it is clearly demonstrated that such signs protect or promote the public interest.

(b) Signs shall not degrade scenic views or vistas and shall not impair visual access to the waterfront.

(c) To prevent visual clutter and confusion, signs shall be limited in number to one per building or business face and shall contain only the name and nature of the business. Multiple signs attached to a single standard or structure are prohibited except where coordinated or designed as a single sign comprising a directory of enterprises for a complex of uses.

(d) Signs shall not exceed twenty five (25) feet in height above grade.

(e) Signs shall comply with the shoreline building setback requirement.

(f) Public safety, public information and directional signs are exempt from the provision of this section.

20.210(55) Residential Development Regulations

(a) Structures above grade, other than those related to water use (such as docks, piers and boat houses), shall set back a minimum of twenty (20) feet from the line of ordinary high water (elevation 27 feet) on Lake Sammamish and fifty (50) feet from the top of the bank of watercourses. They shall not project into the one percent probability flood plain unless flood proofed. In no instance may structures prevent access to a utility easement.

(b) Residential marine accessory structures are regulated in part 20.210(40) of this section.

(c) For purposes of determining the property boundaries and lot area on waterfront property, the following guidelines shall be used:

- . If the property description does not include an adjoining shoreland, the waterward boundary line shall be construed to be the line of ordinary high water.
- . If the property description refers to the low water line as the waterward boundary, the owner shall be construed to have riparian rights in the adjoining shoreland lying between the line of ordinary high water and the low water line.
- . The lot area shall include all the area landward of the line of ordinary high water on Lake Sammamish (27 feet elevation) and the area landward of the top of the bank along rivers and streams.

20.210(60) Shoreline Protective Structures

(a) Location - Shoreline protective structures such as bulkheads, jetties, groins, riprap or similar protective or containment structures are not permitted where waterfront shoaling or erosion is likely to occur, where navigation will be impaired, or where a floating or open structure can be built instead of a solid wall structure.

(b) Conformance to Standards - Shoreline protective structures shall conform to the standards specified on any Federal or State permits required for such projects.

(c) Structure Design - The construction and design specifications of shoreline protective structures shall be approved and adopted by the Technical Committee. Specifications shall be made available to the public and placed in an appendix to the Development Guide.

20.210(65) Utilities - Utilities, as may be permitted, shall be developed subject to consideration of the following factors:

- . Public access is provided where feasible.
- . The project shall be combined and consolidated with other utilities where feasible.
- . The visual quality of the site environment is maintained or enhanced through screening and landscaping or re-establishment of indigenous species for above-ground facilities.

20.210(70) Solid Waste Disposal - Solid waste disposal is prohibited in the shoreline.

20.210(75) Dredging - Dredging is regulated in Section 20C.20.040 of the General Development Regulations.

20.210(80) Road and Railroad Design and Construction

(a) Public shoreline roadways shall be developed as scenic landscaped boulevards for slow-moving traffic, and shall include trails. Roadways separated from the roadway where possible.

(b) Construction of new rail-road corridors in shoreline areas is prohibited, except for grade crossings and signalling, underpasses or overpasses. The repair and reconstruction of existing facilities is permitted.

20.210(85) Recreational Activities

(a) Public access to the water's edge for recreational activities shall be provided in shoreline developments whenever feasible.

(b) The use of motorized vehicles in shoreline recreation areas shall be limited to public streets.

(c) Recreation developments shall provide parking spaces to handle public use, and shall be designed to have a minimum impact on the natural environment.

(d) All public parking areas shall meet the requirements in Section 20C.20.150, Parking Specifications.

(e) Power-operated water vehicles may be operated on the Sammamish River but shall be excluded from streams.

20F.20.180 SHORELINE DEVELOPMENT APPROVAL

20.180(30) Shoreline Variance

(a) A shoreline variance may be applied for and issued prior to the commencement of construction of any substantial developments in the shorelines. Applications for a shoreline variance shall follow the procedures for a variance established in Section 20F.20.030, Development Permit Procedures and Responsible Authority.

(b) Relief may be granted from specific provisions of the master program or shoreline use regulations, provided the applicant can demonstrate that the variance will meet the criteria outlined in Section 173-14-150 of the Washington Administrative Code.

20.180(35) Conditional Use Permit

(a) Uses which are not classified or set forth in the master program or use regulations, may be allowed provided the applicant can demonstrate that they meet the criteria outlined in Section 173-14-140 of the Washington Administrative Code.

(b) Applications for a conditional use permit in the shorelines shall follow the procedures for a variance established in Section 20F.20.030, Development Permit Procedures and Responsible Authority.

20.180(40) Final Action on Variances and Conditional Use Permits - Final action on a variance for substantial developments in the shorelines shall be made by the Department of Ecology within 30 days after notice of the action taken by the City is filed with the Department of Ecology.