Chapter 24.12

SHORELINE MASTER PROGRAM

24.12.010 Applicability, Authority and Purpose

(a) The provisions of the Grant County Shoreline Master Program shall apply to all shorelines of the state as defined in RCW 90.58 and WAC 173-16-030 and located within the jurisdiction of Grant County.

(b) The primary authority for the adoption and enforcement of the Grant County Shoreline Master Program is the Shoreline Management Act, RCW 90.58. Further authority is based on applicable provisions of Chapter 36.70 RCW, Chapter 36.70A RCW and Chapter 36.70B RCW.

(c) The purpose of the Grant County Shoreline Master Program is to meet local responsibilities for the implementation of the policy of the state as given under provisions of RCW 90.58.020 of the Shoreline Management Act and in state regulations adopted pursuant to Chapter 90.58 RCW. In adoption the Grant County Shoreline Master Program, the County's goal is to recognize and protect the functions and values of the shoreline environments of statewide and local significance.

24.12.020 Grant County Shoreline Master Program

(a) The 1975 Grant County Shoreline Master Program, as now or hereafter amended, is readopted. A copy of the Shoreline Master Program (SMP) is available at the Department of Community Development, Long Range Planning Department.

(b) The Grant County Comprehensive Plan contains goals and policies related to shorelines that are intended to serve as the foundation for amending the substantive provisions of the 1975 SMP. The County intends to amend the 1975 SMP within two years following adoption by the Department of Ecology of their guidelines for redrafting of shoreline management programs.

(c) All developments within the jurisdiction of the Shoreline Master Program shall conform with both the 1975 SMP and the goals and policies of Chapter 13 – Natural Setting Element of the Comprehensive Plan as set forth in GCC § 24.12.030. In the event of any conflict between the 1975 SMP and other provisions of this UDC, the more restrictive shall prevail.

24.12.030 Grant County Shoreline Goals and Policies

(a) Goal: Grant County recognizes and protects the functions and values of the shoreline environments of statewide and local significance. For shorelines of state-wide significance (SSWS), protection and management priorities are to:
   (1) Recognize and protect the state-wide interest over local interest;
   (2) Preserve the natural character of the shoreline;
   (3) Provide long-term over short-term benefit;
   (4) Protect the resources and ecology of shorelines;
   (5) Increase public access to publicly owned areas of shorelines; and
   (6) Increase recreational opportunities for the public in shoreline areas.

(b) Policies:
   (1) General Shoreline Use:
      (A) Maintain areas within the shoreline jurisdiction with unique attributes for specific long-term uses, including agricultural, commercial, industrial, residential, recreational and open space uses.
      (B) Ensure that proposed shoreline uses are distributed, located and developed in a manner that will maintain or improve the health, safety and welfare of the public when such uses

occupy shoreline areas.

(C) Ensure that activities and facilities are located on the shorelines in such a manner as to retain or improve the quality of the environment.

(D) Ensure that proposed shoreline uses do not infringe upon the rights of others, upon the rights of private ownership, upon the rights of the public under the Public Trust Doctrine or federal navigational servitude, and treaty rights of Indian tribes.

(E) Minimize the adverse impacts of shoreline uses and activities on the environment during all phases of development (e.g. design, construction, management and use).

(2) Economic Development:

(A) Ensure healthy, orderly economic growth by allowing those economic activities which will be an asset to the local economy, and for which the adverse effects on the quality of the shoreline and surrounding environment can be mitigated.

(B) Protect current economic activity (e.g. shipping, marinas, agriculture, etc.) that is consistent with the policies of the SMP.

(C) Develop, as an economic asset, the recreation industry along shorelines in a manner that will enhance public enjoyment.

(D) Ensure that any economic activity taking place along the shorelines operates without causing irreparable harm to the quantity of the site's environment or adjacent shorelands.

(E) Protect current agricultural land uses of long-term commercial significance and provide for development of new agricultural uses for which adverse environmental effects can be mitigated.

(3) Circulation:

(A) Provide safe, reasonable, and adequate circulation systems to shorelines where routes will minimize adverse effects on unique or fragile shoreline features and existing ecological systems, while contributing to the functional and visual enhancement of the shoreline.

(B) Within the shoreline jurisdiction, locate land circulation systems that are not shoreline dependent as far from the land-water interface as practicable to reduce interference with either natural shoreline resources or other appropriate shoreline uses.

(4) Conservation:

(A) Develop and implement management practices that will ensure a sustained yield of renewable resources of the shorelines while preserving, protecting, enhancing and restoring unique and nonrenewable shoreline resources, environments, or features.

(B) Reclaim and restore areas that are biologically and aesthetically degraded to the greatest extent feasible.

(C) Preserve scenic vistas, aesthetics, and vital estuarine areas for fisheries and wildlife protection.

(5) Public Access:

(A) Ensure that developments, uses, and activities on or near the shoreline do not impair or detract from the public's access to the water. Where practicable, public access to the shoreline should be enhanced.

(B) Design public access projects such that they provide for public safety and minimize potential impacts to private property and individual privacy.

(6) Recreation:

(A) Optimize recreational opportunities now and in the future in shoreline areas.

(B) Encourage federal, state and local governments to acquire additional shoreline properties in Grant County for public recreational uses.

(7) Historic/Cultural/Scientific:

(A) Identify, protect, preserve, and restore important archeological, historical, and cultural sites located in shorelands.

(B) Encourage educational projects and programs that foster a greater appreciation of the importance of shoreline management, maritime activities, environmental conservation, and maritime history.

(C) Prevent public or private uses and activities from destroying or damaging any site having historic, cultural, scientific or educational value without appropriate analysis and mitigation.

(8) Wetlands:

(A) Preserve and protect natural (non-exempt) wetlands to prevent their loss and degradation.

(B) Identify natural (non-exempt) wetlands areas and boundaries according to established identification and delineation procedures.

(C) Provide adequate mitigation for disturbance of natural (non-exempt) wetlands and buffers in the shoreline environment.

(D) Maintain a wetland buffer zone of adequate width between a natural (non-exempt) wetland and adjacent development to protect the functions and values of the wetland.

(E) Base the width of the established buffer zone upon the functions and values of the natural (non-exempt) wetlands.

(F) Natural (non-exempt) wetlands that are impacted by activities of a temporary nature should be restored upon project completion.

(G) Give preference to in-kind and on-site replacement of wetland functions and values. Where in-kind and/or on-site replacement is not feasible or practical due to the characteristics of the existing wetland or property, mitigation of equal or greater ecological value should be provided off site.

(H) Require an applicant to monitor mitigation plans, and to take corrective action if necessary, in order to ensure long-term success of mitigation projects.

(I) Develop standards and procedures for wetland banking allowing for approval of wetland mitigation banks on a case by case basis until such standards and procedures are adopted.

(9) Utilities:

(A) Require utilities to utilize existing transportation and utility sites, rights-of-way and corridors whenever practicable, rather than creating new corridors in the shoreline environment. Joint use of rights-of-way and corridors in shoreline areas should be encouraged.

(B) Locate utility facilities and corridors so as to protect scenic views. Whenever practicable, such facilities should be placed underground or alongside or under bridges.

(C) Design utility facilities and rights-of-way to preserve the natural landscape and to minimize conflicts with present and planned land uses.

(D) Prohibit solid waste disposal activities and facilities in certain sensitive shoreline areas.

(E) Ensure that utilities that are necessary to serve shoreline uses are properly installed so as to protect the shoreline environment and water from contamination.

(F) Locate and design utility facilities in a manner that preserves the natural landscape and shoreline ecology, and minimizes conflicts with present and planned land uses.

(G) Locate utility features for adequate setback at river crossings so as to allow for natural river meander.

(10) Vegetation Management:

(A) Stress prevention of aquatic weed problems. Where active removal or destruction is necessary, it should be the minimum necessary to allow water-dependent activities to continue. Control activities should minimize negative impacts to native plant communities, and include appropriate disposal of weed materials.

(B) Invasive, noxious weeds causing irreparable damage to the shoreline environment should be removed with all due diligence.

(11) Water Quality:
- (A) Require developers to locate, design, construct, and maintain shoreline uses and activities to minimize adverse impacts to water quality and fish and wildlife resources.
- (B) Minimize or mitigate for impacts from agricultural activities such as animal feeding operations, feed lot wastes, retention and storage ponds, manure storage, use of fertilizers and pesticides and other like activities by implementing best management practices.

(12) Urban Environment:
- (A) Prioritize the preservation or expansion of existing high-intensity commercial or industrial waterfront centers over the creation of new high intensity industrial or commercial sites.
- (B) Site industrial or urban development in areas without severe biophysical limitations.
- (C) Prioritize "water-dependent", "water-related" and "water-enjoyment" uses over other waterfront uses.
- (D) Ensure that developments within the Urban environment are compatible with uses and activities in adjacent (including aquatic) environments.

(13) Rural Environment:
- (A) Protect areas with a high capacity of supporting agricultural or forestry uses from incompatible development.
- (B) Encourage public and private recreational facilities that are compatible with agriculture and forestry industry.
- (C) Discourage urban density development.
- (D) Promote low-density residential development.
- (E) Allow mineral extraction with sufficient buffers.
- (F) Require development within the Rural environment to be compatible with uses and activities in adjacent (including aquatic) environments.

(14) Conservancy Environment:
- (A) Prohibit or restrict activities and uses that would substantially degrade or permanently deplete the physical or biological resources of the area.
- (B) Restrict new development to that which is compatible with the natural or biological limitations of the land and water.
- (C) Prohibit activities or uses that would strip the shoreline of vegetative cover, cause substantial erosion or sedimentation, or adversely affect wildlife or aquatic life.
- (D) Encourage agricultural and recreational activities that will not be detrimental to the natural shoreline character.
- (E) Allow single family residential development as a principal use in the Conservancy environment.
- (F) Ensure that developments within the conservancy environment are compatible with uses and activities in adjacent (including aquatic) environments.

(15) Natural Environment:
- (A) Restrict or prohibit uses or developments that would significantly degrade the natural value or alter the natural character of the shoreline area.
- (B) Permit access for scientific, historical, educational and low-intensity recreational purposes, provided that no significant adverse impact on the area will result.
- (C) Ensure that uses and activities permitted in locations adjacent to shorelines designated Natural are compatible and will not compromise the integrity of the natural environment.
- (D) Ensure that developments within the Natural environment are compatible with uses and activities in adjacent (including aquatic) environments.
- (E) Prohibit commercial and industrial uses other than low-intensity agricultural practices, low-intensity mineral extraction, and commercial forestry.
- (F) Prioritize preservation of resources over public access, recreation and development whenever a conflict exists.

(16) Aquatic Environment:
- (A) Prohibit structures that are not water-dependent and uses that will substantially degrade the existing character of the area.
- (B) Ensure that developments within the aquatic environment are compatible with the adjoining upland environment.
- (C) Encourage diverse public access opportunities to water bodies that are compatible with the existing shoreline environment.

(17) Agriculture:
- (A) Protect agricultural land of long-term commercial significance from incompatible and preemptive patterns of development.
- (B) Protect the productivity of the land base by using best management practices to control soil erosion.
- (C) Maintain a vegetative buffer between agricultural lands and water bodies or wetlands.

(18) Boating:
- (A) Locate and design boating facilities so that their structures and operations will be compatible with the area affected.
- (B) Discourage the use of floating homes and houseboats. They should be allowed only in limited circumstances where their negative environmental impacts can be substantially avoided.

(19) Commercial Development:
- (A) Encourage new commercial development on shorelines to locate in those areas with existing, consistent commercial and/or industrial uses and in a manner that will minimize sprawl and the inefficient use of shoreline areas.
- (B) Encourage commercial development to utilize existing transportation corridors and to minimize the number of ingress/egress points. Ingress/egress should be designed to minimize potential conflicts with, and impact on, regular corridor traffic.

(20) Flood Hazard:
- (A) Restrict or prohibit development uses in flood plains that will be dangerous to health, safety or property during flood events.
- (B) Require enhanced construction standards in areas that are vulnerable to flooding.

(21) Industrial:
- (A) Restrict new industrial lands from being sited on sensitive and ecologically valuable shorelines.
- (B) Encourage new industrial development to provide physical and/or visual access to shorelines.
- (C) Encourage Industrial and Commercial Development within incorporated Urban Growth Areas, Rural Areas of More Intense Development, Major Industrial Developments, lands designated as Commercial and Industrial, and on existing Port-owned and/or operated parcels.

(22) Mining:
- (A) Protect water bodies from sources of pollution, including but not limited to, sedimentation and siltation, chemical and petrochemical use, and spillage and storage/disposal of mining wastes and spoils.
- (B) Minimize the disruption caused by mining activities so that the natural shoreline systems can function.
- (C) Minimize adverse visual and noise impacts of mining on surrounding shoreline areas.
- (D) Return closed mining sites to as near a natural state as feasible upon closure.

(23) Recreational Development:
- (A) Locate and design shoreline recreational developments to reflect population characteristics, density and special activity demands.

(B) Design recreational developments to minimize adverse impacts on the environment.
(C) Encourage a variety of compatible recreational experiences and activities to satisfy diverse recreational needs.
(D) Encourage the linkage of shoreline parks, recreation areas, and public access points with linear systems, such as hiking paths, bicycle paths, easements and/or scenic drives.
(E) Locate and design recreational developments to preserve, enhance, or create scenic views and vistas.
(F) Locate, design and maintain trails and pathways to protect bank stability.

(24) Residential Development:
(A) Permit residential development where there are adequate provisions for utilities, circulation and access.
(B) Design and locate residential development to preserve existing shoreline vegetation, to control erosion, and to protect water quality.
(C) Encourage new residential development along the shoreline to cluster dwelling units in order to preserve natural features and minimize physical impacts.
(D) Locate residential development so as not to cause significant adverse impacts to forestry, agricultural, or recreational uses.
(E) Allow protection of single family residences and appurtenant structures against damage or loss due to shoreline erosion.

(25) Transportation Facilities:
(A) Locate roads to fit the topographical characteristics of the shoreline such that minimum alteration of natural conditions results. New transportation facilities should be located and designed to minimize the need for shoreline protection measures and to minimize the need to modify the natural drainage systems. The number of waterway crossings should be limited as much as possible.
(B) Encourage trail and bicycle paths along shorelines where they are compatible with the natural character and ecology of the shoreline.
(C) Encourage joint use of transportation corridors within shoreline jurisdiction for utilities and other forms of transportation.

(26) Shoreline Modification:
(A) Allow location, design, and construction of riprap and other bank stabilization measures primarily to prevent damage to existing development or to protect the health, safety and welfare of Grant County residents.
(B) New development requiring extensive shoreline stabilization should be discouraged.
(C) Locate and design new development to prevent or minimize the need for shoreline stabilization measures and flood protection works.
(D) Encourage development of an integrated erosion control strategy that balances structural and non-structural solutions to reduce shoreline damage in an environmentally sensitive manner.

(27) Dike and Levy:
(A) Allow location, design, construction, and maintenance or removal of dikes and levies so that they will not cause significant damage to adjacent properties or valuable resources.

(28) Dredging:

(A) Site and regulate dredging and dredge material disposal in a manner that minimizes adverse effects on natural resources.
(B) Ensure that dredging operations are planned and conducted in a manner that will minimize interference with navigation and that will lessen adverse impacts to other shoreline uses.

(29) Landfill:
(A) Allow landfills waterward of OHWM only when necessary to facilitate water-dependent

and/or public access uses that are consistent with the master program.

(B) Prohibit landfills waterward of OHWM on state-owned shorelands except when in the public interest.

(C) Design and locate shoreline fills to minimize damage to existing ecological systems.

(D) Design the perimeter of landfills to avoid or minimize erosion and sedimentation impacts. Encourage natural appearing and self-sustaining control methods over structural methods.

(30) Pier, Dock, Float, and Buoy:

(A) Design piers, docks, floats and mooring buoys to cause minimum interference with navigable waters and the public's use of the shoreline.

(B) Site and design piers, floats, and docks to minimize possible adverse environmental impacts.

(31) Salmon Habitat:

(A) Lessen impacts of uses, activities, structures, and landfills in salmon habitat, to the maximum extent possible. Significant unavoidable impacts should be mitigated by creating in-kind replacement habitat or other equal benefit where feasible.

(B) Minimize the discharge of silt into waterways during in-water and/or upland construction.

(32) Parking:

(A) Locate and design parking facilities to minimize adverse impacts including those related to stormwater runoff and water quality.

(33) Signage:

(A) Design signs such that they do not block or otherwise interfere with visual access to the water of the shorelands.

(B) Require that signs in the shoreline environment be linked to the operation of existing uses and attached to said uses.

(34) Utilities:

(A) Require utilities to utilize existing transportation and utility sites, rights-of-way and corridors whenever possible, rather than creating new corridors in the shoreline environment. Joint use of rights-of-way and corridors in shoreline areas should be encouraged.

(35) Clearing and Grading:

(A) Regulate clearing and grading activities in shoreline areas.

(B) Avoid negative environmental and shoreline impacts of clearing and grading whenever possible through site planning, construction timing, bank stabilization, and the use of erosion and damage control methods.

(C) Design clearing and grading activities with the objective of maintaining natural diversity in vegetation species, age, and cover density.

(36) Geological Hazard Area:

(A) Minimize or mitigate development on unstable or moderately unstable slopes.

(B) Avoid clearing vegetation on and within edges of bluffs. Retention of a natural buffer should be encouraged.

(C) Design and construct structures in a manner that provides structural integrity and safety for their useful life.

(D) Allow sufficient lot depth within new subdivisions such that bulkheading or other structural stabilization is not necessary.