

CITY OF MOSES LAKE

Shorelines Management Master Plan

First City Approval:	September 17, 1974
First State Approval:	March 1975
City's 1st Biennial Review:	May 24, 1977
City's 2nd Biennial Review:	August 26, 1980
City's 3rd Biennial Review:	September 13, 1983
City's 4th Biennial Review:	February 2, 1986
City's 5th Biennial Review	October 11, 1988

All statements contained within this Shorelines Master Plan are referring to the area between the normal high water mark and an imaginary line 200 feet back, any associated wetlands, and any associated uses relying on the shoreline for such use.

The shoreline areas referred to in this plan are all shorelines of statewide significance and must be dealt with as stated in the Washington Administrative Code Nubmber 173-16-040(S).

PREFERENCE GIVEN TO WATER DEPENDENT USES AS SPECIFIED IN RCW 90.58.020

The intent throughout this Shoreline Management Master Plan is to give preference to water dependent shoreline uses. Also, if a use provides an opportunity for substantial numbers of people to enjoy the shoreline then that use will be given additional priority.

PROCEDURE FOR UPDATING AND AMENDING THE SHORELINE MANAGEMENT MASTER PLAN

The City of Moses Lake, upon adoption of its Shoreline Management Master Plan, will review said plan every two years.

If no changes are found to be needed, a notice will be sent to the Department of Ecology informing them that a public hearing had been held and that no objection to the existing Shorelines Management Master Plan had been expressed.

If objections are brought forth and changes need to be made, a committee will be appointed to consider those changes. After the committee has submitted its recommendations, a public hearing will be held to adopt any recommended changes. All changes proposed by the City of Moses Lake for their Shorelines Management Master Plan must be approved by the Department of Ecology before they can be implemented.

The two year interval for such a review would begin on March 1, 1975, following the adoption of the Moses Lake Shoreline Management Master Plan.

I. Environments

A. The Natural Environment

The Natural Environment shall preserve and restore those natural resource systems existing relatively free of human influence.

1. There shall be no development of any kind permitted in the Natural Environment.
2. All motorized vehicles shall be prohibited.
3. Permitted Uses - None
4. Conditional Uses - Public access

B. The Conservancy Environment

The Conservancy Environment shall conserve and manage existing natural resources and undeveloped areas in order to satisfy the needs of the community as to the present and future location of recreational areas.

1. All new roads shall be mainly for public access and shall not be main arterials.
2. Besides the valuable future recreation areas, the Conservancy Environment shall include the following delineated areas which present overly severe biophysical limitations to be designated as rural or urban environments.
 - a. Shoreline area west of Crestview Drive (too steep)
 - b. Shoreline area west of the railroad tracks, north and south of Montlake Park (existence of railroad tracks)
 - **c. Shoreline areas commonly known as railroad property located west of Alder Street Fill to the Little Peninsula.
- *3. Permitted Uses - Non-consumptive use of the environment such as single family homes whose density would be set by the Planning Commission upon platting. Multi-family dwellings are allowed at a single family density to create open space.
4. Transportation - Access roads only
5. Utilities - Underground only
6. Recreation - Development for water oriented or dependent recreational facilities

C. The Rural Environment

The Rural Environment shall protect agricultural land from urban expansion, restrict intensive development along undeveloped shorelines, and maintain open spaces and opportunities for recreational uses compatible with agricultural activities.

1. Permitted Uses

- a. Agriculture
- b. Residential - R-1 density only
- c. Transportation - access only
- d. Utility System
- e. Recreation
- f. Landfills
- g. Dredging
- h. Marinas

D. The Urban Environment

The Urban Environment shall ensure optimum utilization of shoreline areas by providing for intensive public use by managing development so that it enhances and maintains shorelines for a multiplicity of urban uses.

1. Permitted Uses

- a. Residential
- b. Commercial
- c. Transportation
- d. Utilities
- e. Recreation
- f. Landfills
- g. Dredging
- h. Marinas

II. Use Areas

A. Agricultural Areas

1. Goal

To reduce the amount of agriculture wastes entering the lake.

2. Policy

- a. Regulate the feed lots
- b. Reduce and control surface discharge into the lake
- c. Promote more ecologically sound agricultural practices, such as improved waterfront management, recycling lagoons, and more effective irrigation practices.
- d. Encourage permanent buffer zones of vegetation between agricultural areas and surface water.
- e. Work with county to help encourage better agricultural practices.

3. Use Regulations

- a. Feed lots shall not be permitted
- b. Agricultural practices shall not be permitted within twenty feet (20') of the high water line
- c. There shall be no direct discharge of agricultural wastes into the lake.
- d. There shall be a buffer zone of vegetation between agricultural uses and the high water line.

B. Residential Areas

1. Goal

To provide for residential development along the lakeshore.

2. Policy

- *a. Require that all residential developments be connected to an approved sewer system.
- b. All new roads constructed to serve a residential area should be placed inland from the residential area served.

3. Use Regulations

- a. All multi-family developments shall be served by an approved sewer system.
- b. All new roads constructed to serve a residential area shall be placed inland from the residential area served.

C. Commercial Areas

1. Goal

To design new commercial developments so they will enhance the use and appearance of the shoreline areas.

2. Policy

- a. Parking facilities, whenever possible, should be placed inland from all new commercial developments and all such facilities should be adequately screened and landscaped.
- b. All new commercial developments should be connected to an approved sewer system.
- c. No structures except permitted docks and bridges should be constructed over the lake.

1A. Goal

To have existing commercial areas conform to or create a natural looking setting.

2A. Policy

- a. The owners of all existing commercial properties should be encouraged to clean and make them aesthetically pleasing.
- b. The owners of all existing commercial properties, which are now directly adding pollutants to the lake, should be required to correct their problem.
- c. The owners of alleys, which run between the commercial buildings and the lake, should be encouraged to clean up and improve them.

3. Use Regulations

- a. Parking facilities, whenever possible, shall be placed inland from all new commercial developments and all such facilities shall be adequately screened and landscaped.
- b. All new developments shall be served by an approved sewer system.

- c. The owners of all commercial properties shall be required to make them aesthetically pleasing if improvements are deemed necessary by the Shorelines Administrator, but only after proper consideration by the City Council.
- d. The owners of all existing and future commercial properties from which pollutants are directly being added to the lake shall be required to correct their problem.

D. Utility Systems

1. Goal

To prevent utility construction from degrading the natural attraction of the lake.

2. Policy

- a. Utility lines and services should not interfere with existing shoreline uses or designated natural areas.
- b. Utilities brought into an area where a unique environmental setting exists should be located so they do not obstruct, destroy, or degrade scenic views or aesthetic qualities.
- c. Whenever possible, utilities should be placed underground.
- d. The placing of utilities should not obstruct or hinder physical or visual access to the lake.
- e. All existing utility systems should be improved to enhance the shoreline appearance and use wherever possible.

3. Use Regulations

The placing of electric, gas, water, sewer, cablevision, or telephone services shall not obstruct or hinder the physical or visual access to the lake, and, if possible, shall be placed underground.

E. Industry

1. Goal

*To permit no industrial use of the Moses Lake shoreline and/or waterways adjacent to Moses Lake.

2. Policy

- a. No areas should be set aside for industrial uses.
- b. No direct discharge of wastes, from any industry, into the lake should be permitted.

3. Use Regulations

All new industrial developments shall be located 200 feet back from the high water line.

F. Recreational Areas

1. Goal

To provide for recreational uses which do not negatively affect the lake quality.

2. Policy

- a. Provide clean swimming areas for the public
- b. Provide areas for cleaning fish

1A. Goal

To provide shoreline areas for recreational uses.

2A. Policy

- a. Develop a system of public parks
- b. Encourage private development of camping areas
- c. Buy property for future public usage.

3. Use Regulations

Every designated recreational area shall be equipped with adequate facilities to meet the sewage, water, and waste disposal needs generated by the use. Such facilities shall be designed and constructed in such a way so that they do not adversely affect the shoreline.

G. Transportation Uses

1. Goal

To construct roads and railroads so as not to damage the shorelines environment.

2. Policy

- a. All new roadways should be located and designed so as not to restrict access to shoreline areas.
- b. All new arterial and through roads should be placed, if at all possible, at least 200 feet inland from the shoreline.

- c. All collector streets along the shoreline should also provide for safe pedestrian and other non-motorized passage. There should also be safe access to special view points.
- d. Any highway bridge constructed over the lake should have enough clearance above the water to permit easy passage by motor boats and will not restrict the water flow of the lake or possible flood flows.
- e. Efforts should be made to have the existing Pelican Horn railway crossing raised.
- f. The railroad should be encouraged to clean up their properties so they are aesthetically pleasing and it should be done in a manner which does not negatively affect the natural habitat along the lake shore.

3. Use Regulations

- a. All main highways, arterials, and through roads shall be located and designed so as not to overly restrict physical and visual access to the shoreline, when their construction is unavoidable within the two hundred foot (200') shoreline area.
- b. All roads which must be constructed in the shoreline area shall provide for safe pedestrian passage, other non-motorized passage and access to special view points.
- c. Any highway bridge constructed over the lake shall have enough clearance above the water to permit safe passage for the majority of boats which normally use Moses Lake and the bridge shall not restrict the water flow of the lake or be a hazard in case of flood flows.

H. Landfills

1. Goal

To stringently regulate landfills.

2. Policy

- *a. Landfills should not be permitted in the natural or conservancy environment except in such emergency cases as natural disaster, to protect property and environment from damage by the elements.
- b. Minor landfills for the purpose of raising a residence or farm building should be permitted on land presently above the 1047' elevation provided they follow city regulations.
- c. Shoreline fills should be designed and located so that damage to existing ecological values or natural resources does not occur.
- d. Shoreline areas should not be considered for sanitary landfills or for disposal of solid waste.

3. Use Regulations

A Conditional Use Permit shall be required.

- a. Shoreline fills or cuts shall 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.
- b. All perimeters of fills shall be provided with vegetation, retaining walls or other mechanisms for erosion prevention.
- c. Fill materials shall be of such quality that it will not cause problems of water quality. Shoreline areas are not to be considered for sanitary landfills.
- d. Priority shall be given to landfills for water dependent uses and for public uses. 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 shall be considered.

I. Dredging

1. Goal

To stringently regulate dredging operations.

2. Policy

- a. Dredging for the purpose of obtaining fill material should be prohibited.
- b. Dredging should not be permitted in a designated natural environment.
- c. Dredging which may cause pollution of shoreline wells should not be permitted.
- d. Silt removal should be permitted when adequate precautions have been taken.
- e. Dredging should be permitted only after complete geological and ecological studies have been made.
- f. Disposal of dredged materials should be done in a manner which does not destroy or threaten the ecology, neither should such disposal be permitted when it would degrade the aesthetic quality of an area.

3. Use Regulations

A Conditional Use Permit shall be required.

- a. Dredging of bottom materials for the single purpose of obtaining fill material shall be prohibited.
- b. Disposal of dredged material shall be done in a manner which does not destroy or threaten the ecology, neither will such disposal be permitted when it would degrade the aesthetic quality of an area.
- c. Dredging operations shall be controlled 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. In order to do this, complete geological and ecological studies shall be required.

Mining, ports, and water related industry, aquaculture, forest management practices, and jetties and groins are not uses which concern the shorelines of the City of Moses Lake and, therefore, use regulations for these areas are not necessary now or for future planning.

J. Public Use Areas

1. Goal

To provide areas for public use along the lakeshore.

2. Policy

- a. The city should buy lakeshore property for future public use.
- b. Public areas will be provided for the fisherman, boater, swimmer, and passive recreationalist.
- c. Public access to a shoreline containing a designated natural area will be provided in a manner which does not change or degrade its natural character.
- d. Access by foot trails will be encouraged.
- e. Physical and visual access to the water will be planned in public areas.
- f. Access to public areas should include bicycle and hiking paths.

K. Shoreline Appearance

1. Goal

To establish a shoreline which is kept as clean as possible.

2. Policy

- a. Feedlots will not be permitted in the shoreline area.
- b. Public areas should be provided with adequate waste disposal facilities.
- c. Public areas will be regularly maintained.
- d. Private residences and commercial buildings will be encouraged to maintain their buildings and grounds.
- e. The railroad should be encouraged to clean up their properties so they are aesthetically pleasing and it should be done in a manner which does not negatively affect the natural habitat along the lakeshore.

L. Marinas

1. Goal

To stringently regulate marinas.

2. Policy

- a. Marinas will be non-polluting aesthetically pleasing facilities and should not be just a maze of docks which hinder water flow and boating traffic.
- b. Adequate facilities to properly handle wastes from holding tanks should be required at all public marinas.

3. Use Regulations

- a. Marinas shall be designed in a manner that will reduce damage to fish resources.
- b. All fuel and chemicals shall be kept, stored, and handled in a fashion which assures that there will be minimum entry of such fuels and chemicals into the water.
- c. Adjoining waterfront property owners shall be encouraged to share a common docking facility.

M. Outdoor Advertising

1. Goal

To regulate outdoor advertising.

2. Policy

All outdoor advertising will comply with the specific guidelines set forth in the following regulations.

3. Use Regulations

- a. Off-premises and non-appurtenant signs shall not be permitted.
- b. No signs shall have a surface area larger than 36 square feet.
- c. Required navigational signs shall be permitted.

N. General Regulations

To apply to all shoreline environments:

1. Burning shall be permitted only as a means for controlling fire hazards and special precautions shall be taken to protect the trees and shrubs which are not fire hazards.
2. No structures, except permitted docks and bridges, shall be constructed over the lake.

O. Docking Facilities

1. Goal

To discourage the construction of docking facilities which could be detrimental to the shoreline or aquatic habitat.

2. Policy

All docking facilities should be constructed and regulated in a manner so that they do not hinder water flow or boating traffic.

3. Use Regulations

- a. All commercial docking facilities must comply with use regulations governing marinas.
- b. Floating docks shall be encouraged over stationary open piling or landfill docking facilities.
- c. Docking facilities constructed in residential developments shall be encouraged to be used jointly by adjoining property owners.
- d. All docking facilities shall be constructed so that they do not restrict the water flow or hinder boating traffic.

P. Breakwaters

1. Goal

To discourage construction of breakwaters which could be detrimental to the shoreline or aquatic habitat.

2. Policy

All breakwaters should be constructed and regulated in a manner so that they do not hinder water flow or boating traffic.

3. Use Regulations

- a. Floating breakwaters shall be given preference over the solid landfill type.
- b. Solid breakwaters shall be constructed only where such construction will not hinder water movement or the natural movement of shoreline materials.
- c. A breakwater shall not overly restrict the public from the use of that shoreline area.
- d. All breakwaters shall be constructed so that they do not overly restrict water flow or hinder boating traffic.

Q. Bulkheads

1. Goal

To discourage construction of bulkheads which could be detrimental to the shoreline habitat.

2. Policy

All bulkheads should be constructed only to prevent erosion from existing shoreline areas or to prevent permitted landfill material from eroding into the lake.

3. Use Regulations

- a. Bulkheads shall be located and constructed in such a manner which will not result in adverse effects on nearby beaches. There shall be only minimum alterations to the natural shoreline.
- b. Bulkheads shall not overly restrict the public from the use of that shoreline area.

R. Shoreline Protection

1. Goal

The shoreline areas governed by the City of Moses Lake are located on a very stable body of water. For this reason large scale municipal projects to protect the shoreline from flooding or erosion will not be necessary. All construction for shoreline protection will be governed by the use regulations under Bulkheads and/or Breakwaters.

III. Permits

A. Substantial Development Permits

All development or activity occurring within the shoreline area under the jurisdiction of the Shorelines Master Program shall require a permit called a Substantial Development Permit when such development or activity has a total cost or fair market value of over \$1,000.

Exceptions would be as follows:

1. Any development of which the total cost or fair market value does not exceed \$1,000, if such development does not materially interfere with the normal public use of the water or shorelines of the state.
2. Normal maintenance or repair of existing structures or developments, including damage by accident, fire, or elements.
3. Construction of the normal protective bulkhead common to single family residences.
4. Emergency construction necessary to protect property from damage by the elements.
5. Construction of a barn or similar agricultural structure on wetlands.
6. Construction or modification of navigational aids such as channel markers and anchor buoys.
7. Construction on wetlands by an owner, lessee or contract purchaser of a single family residence for his own use or for the use of his family, which residence does not exceed a height of 35 feet above average grade level and which meets all requirements of the state agency or local government having jurisdiction thereof, other than requirements imposed pursuant to this chapter.
8. Construction of a dock, designed for pleasure craft only, for the private non-commercial use of the owners, lessee, or contract purchaser of a single family residence, the cost of which does not exceed \$2,500.
9. Operation, maintenance, or construction of canals, waterways, drains, reservoirs, or other facilities that now exist or are hereafter created or developed as a part of an irrigation system for the primary purpose of making use of system waters, including return flow and artificially stored ground water from the irrigation of lands.
10. The marking of property lines or corners on state owned lands, when such marking does not significantly interfere with normal public use of the surface of the water.

11. Operation and maintenance of any system of dikes, ditches, drains, or other facilities existing on the effective date of the 1975 amendatory act which were created, developed, or utilized primarily as a part of an agricultural drainage or diking system.
12. Any project with a certification from the governor pursuant to Chapter 80.50 RCW.
13. The construction of up to 500 feet of one and only one road or segment of a road, for forest practices, provided such road does not enter the shoreline more than once. Such exemption from said permit requirements shall be limited to a single road or road segment for each forest practice and such road construction shall be subject to the requirements of Chapter 76.09 RCW, the Forest Practices Act, and regulations adopted pursuant thereto and to the prohibitions or restrictions of any master program in effect under the provisions of Chapter 90.58 RCW. Nothing in this subsection shall add to or diminish the authority of the Shoreline Management Act regarding road construction except as specifically provided herein. The provisions of this subsection shall not relate to any road which crosses over or through a stream, lake, or other water body subject to Chapter 90.58. RCW.

B. Conditional Use Permit

Some land owners may be unduly hampered by the Environmental Designation and Use Regulations placed on their shoreline property. These land owners may find it necessary to apply for a Conditional Use Permit. This permit would be required for any development which conflicted with the designated environment or use area regulations as stated in the plan.

A land owner or developer must show:

1. That there is a necessity for a shoreline site for the proposed use, or that the particular site applied for is essential for this kind of use, and that denial of the Conditional Use Request would create a hardship on the applicant to locate the proposed use anywhere outside the shoreline jurisdiction area.
2. That the goals and policies of the master program will be closely adhered to through innovative design and proper maintenance and management.
3. That the surrounding uses of the shoreline will not be adversely affected.

C. Variance Permit

Some development may differ so much from the use regulations and permitted uses set forth in the Master Program that a Conditional Use Permit would not be sufficient, then a Variance Permit will have to be obtained.

The land owner must show:

1. That the specific provision or provisions to be relaxed clearly did not foresee or consider the particular situation the applicant is facing.
2. That the proposed project will not adversely affect the surrounding shoreline uses.
3. That the goals and policies of the Master Program will be closely adhered to through innovative design and proper maintenance and management.

SHORELINE MANAGEMENT MASTER PLAN
ADDENDUM

Westlake Shores

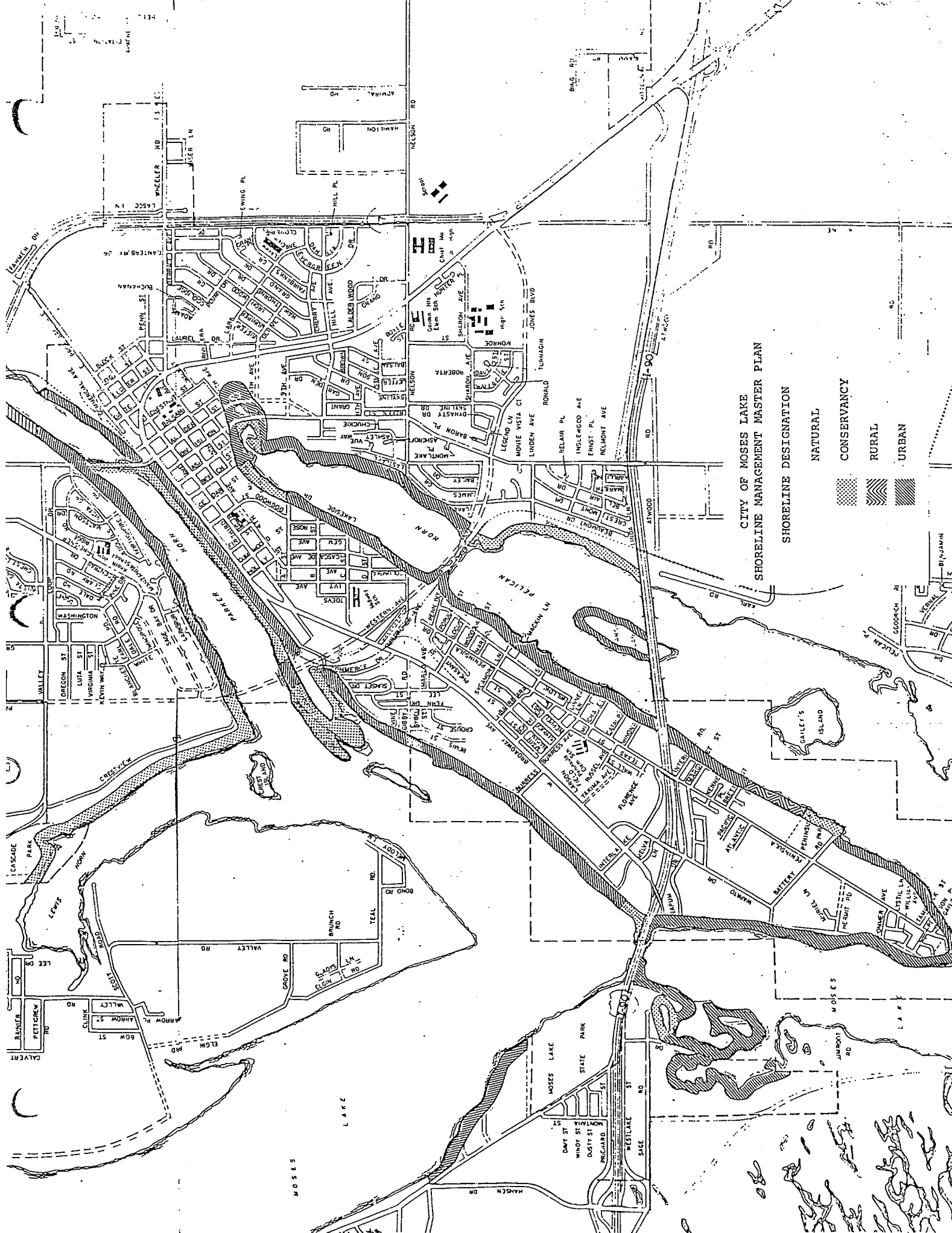
The Department of Ecology attached the following conditions to the property known as Westlake Shores:

1. No subdivided lot will be less than 12,500 square feet.
2. No subdivided shoreline lot will have less than 115 feet of shoreline frontage.
3. The proposed subdivision will allow 300 feet of shoreline frontage for community access.
4. A 20-foot buffer strip will be maintained between any proposed subdivisions and the Washington State Department of Game public lands. (See the letter dated November 23, 1982 from the Department of Game in the Westlake Shores plat file.)
5. Sewer and water will be available for all subdivided lots.

Three Pond Area

The Department of Ecology approved the urban designation for the Three Pond Area with the following conditions:

1. Development in this area shall retain all open ponds associated with Moses Lake. Until such time as the artesian well is capped, the entire wetland is presumed to be associated with Moses Lake.
2. Retain sufficient buffer areas (50 - 75 feet) between ponds and development with minimal disruption of riparian vegetation.
3. Provide public access to the ponds within the development and amenities such as tables and benches.
4. Minimize further landfill into the wetland.
5. Solid waste including demolition debris will not be used as fill material.



CITY OF MOSES LAKE
SHORELINE MANAGEMENT MASTER PLAN
SHORELINE DESIGNATION

- NATURAL
- CONSERVANCY
- RURAL
- URBAN

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