

PLANNING COMMISSION  
STUDY SESSION - SHORELINE MASTER PROGRAM  
November 18, 2004 - 6:40 a.m.

Commissioners Present: Bob Bernd, Henry Wood, Dean Kastanis, Jim Liebrecht, Yvonne Parker, and Todd Lengenfelder Absent: Rick Penhallurick, Tor Hartman, and Bill Ecret

Staff Present: Anne Henning, Lori Barlow, Bill Aukett, and Judy Thompson

The study session was called in order to continue discussing the Shoreline Master Program beginning with the Aquifer Recharge Areas.

Aquifer Recharge Areas

The provisions of this section apply to areas that serve as critical groundwater recharge areas and that are highly vulnerable to contamination from intensive land uses, based on the findings of the inventory and analysis in this SMP.

Anne Henning, Associate Planner, stated that the city's critical areas ordinance also addresses aquifer recharge areas. The recharge areas are difficult to identify and staff is unaware of any within the city's limits, other than possibly the lake itself.

Policies:

1. Development in shoreline aquifer-recharge areas should not interfere with shoreline ecological processes and functions.

No changes were made.

2. Development in shoreline aquifer-recharge areas should be consistent with the City's standards for development in aquifer-recharge areas throughout the city.

It was the consensus of the Commission that existing regulations adequately regulate these areas. No changes were made.

Frequently Flooded Areas

The provisions of this section apply to areas within the shoreline jurisdiction that are prone to flooding, as identified in the most recent report for the city developed by the Federal Emergency Management Agency (FEMA) and on the Flood Insurance Rate Maps (FIRMs) or based on the findings of the inventory and analysis in this SMP.

Ms. Henning mentioned that frequently flooded areas are those that would be affected by a 100 year flood. She pointed out the few areas, other than the lake, that are considered within the flood plain area.

Lori Barlow, Associate Planner, pointed out that the zoning code regulations are consistent with the proposed policies.

Policies

1. Structures in frequently flooded areas should be sited and designed to avoid impacts to shoreline ecological functions and processes.

No changes were made.

2. Non-structural development (such as recreation trails) in frequently-flooded shoreline areas should be sited and designed to avoid deleterious impacts to shoreline ecological functions and processes.

No changes were made.

3. Development in frequently-flooded shoreline areas should be consistent with the City's standards for development in frequently-flooded areas throughout the city.

No changes were made.

### Geologically Hazardous Areas

The provisions of this section apply to areas within the shoreline jurisdiction that are susceptible to severe erosion or slide activity, including steep slopes, landslide-erosion hazard areas, and seismic hazard areas, based on the findings of the inventory and analysis in this SMP. In general, such geologically hazardous areas are not suitable for placing structures or locating intense activities or uses due to the inherent threat to public health and safety.

Ms. Henning stated that the critical areas ordinance does identify some hazardous areas including slopes that are 15% or steeper. There are a few of these in the Montlake area and along Crestview Drive. This section of the shoreline master program would have limited application since it would only apply to areas that are both within 200' of the shoreline and considered to be geologically hazardous. She suggested that the Commission may wish to address this segment of the SMP after the inventory maps have been received.

### Policies

1. Development should be prohibited or minimized on unstable or moderately unstable slopes.
2. Development should be permitted only in locations where no slope protection is necessary or where non-structural protection is sufficient for the life of the project. Structures should be designed and constructed in a manner that provides safety for the useful life of the structure and does not require construction of a retaining wall or bulkhead during that time span.
3. Because vegetation removal during development of adjacent uplands alters surface runoff and ground water infiltration patterns and can lead to decreased slope stability, vegetation removal on or near steep slopes should be avoided. Retention of a natural buffer should be encouraged.
4. Subdivision of lots on or near slopes should allow sufficient lot depth for development to occur without the need for bulkheads or other structural stabilization.
5. Development in geologically hazardous shoreline areas should be consistent with the City's standards for development in geologically hazardous areas throughout the city.

No changes were made at this time but the Commission will review these policies when the inventory maps are available.

### Fish and Wildlife Habitat Conservation Areas

The provisions of this section apply to areas within the shoreline jurisdiction identified as being of critical importance in the maintenance and preservation of fish, wildlife, and natural vegetation, based on the findings of the inventory and analysis in this SMP.

Ms. Henning stated that these areas have been identified on the inventory maps which the city will receive in the next few days. She mentioned that the Fish and Wildlife maps show the whole lake as habitat but that does not mean it is of critical importance.

There was some discussion and the Commission felt that the inventory maps would be needed before discussing the policies.

### Policies

1. Development in shoreline fish and wildlife habitat conservation areas should not interfere with shoreline ecological functions and processes.

No changes were made.

2. Development in shoreline fish and wildlife habitat conservation areas should be consistent with the City's standards for development in fish and wildlife habitat areas throughout the city.

No changes were made.

### Parking

Parking is the temporary storage of automobiles or other motorized vehicles. The policies that follow apply to all areas where vehicles are parked, including parking incidental to another permitted use.

Policies

1. Parking in the shoreline jurisdiction should serve a permitted shoreline use.

Ms. Barlow questioned whether or not a parking lot or area should be allowed between a building and the shoreline. The existing shoreline master program states that commercial parking should be upland of the use.

There was considerable discussion and the Commission felt that provided the parking lot or area is landscaped, it would not be a detrimental use of the shoreline.

No changes were made.

2. Parking facilities should be located and designed to minimize adverse impacts including those related to storm water runoff, water quality, aesthetics, public access, and vegetation and habitat maintenance.

No changes were made.

3. Parking facilities should be designed and landscaped to minimize adverse impacts upon adjacent properties and the shoreline. Landscaping should consist of vegetation from the recommended list or other vegetation approved by the City.

No changes were made.

4. Parking should be planned to achieve optimum use of land within the shoreline jurisdiction. Where practical, parking should serve more than one use, such as recreational use on weekends and commercial use on weekdays.

No changes were made.

Ms. Parker would like to see a policy that shoreline parking lots should be landscaped more intensively than the minimum required by the Municipal Code for all parking lots.

Mr. Bernd felt that this direction is already provided by polices 2 through 4.

Public Access

Shoreline public access is the physical ability of the general public to reach and touch the water's edge and/or the ability to have a view of the water and the shoreline from upland locations. Public access can include picnic areas, pathways and trails, floats and docks, viewing towers, bridges, boat launches, street ends, ingress and egress, and parking.

1. Developments, uses, and activities on or near the shoreline should not impair or detract from the public's physical or visual access to the water.

Mr. Kastanis pointed out that all developments will affect the shoreline. For example, it would be impossible to build even a one-storey house or other building without decreasing visual access to the water.

There was some discussion and this policy was amended as follows:

Developments, uses, and activities on or near the shoreline should not unnecessarily impair or detract from the public's physical or visual access to the water.

2. Public access opportunities should be provided as close as possible to the water's edge without adversely affecting sensitive environments and should be designed with provisions for handicapped and physically impaired persons.

Ms. Barlow mentioned that an example of how this policy can be addressed is by the Paths and Trails Team locating the path in McCosh Park back from the lake to provide an area for native habitat. This area will be used to show the public how a shoreline area can be used and maintained with native plants and without the use of bulkheads or retaining walls. The Commission agreed that the City should be a model of appropriate shoreline use.

3. Public access to the shorelines afforded by street ends, public utilities, and rights-of-way should be preserve, maintained, and enhanced.

No changes were made.

4. Public access opportunities should be designed to provide for public safety and to minimize potential impacts to private property and individual privacy.

There was some discussion on the need to take into consideration the impacts to private property of public projects.

No changes were made.

5. To avoid unnecessary user conflict, there should be a physical separation or other means of clearly delineating public and private space.

No changes were made.

6. Public views of the shoreline from upland areas should be enhanced and preserved. Enhancement of views should not be interpreted as authorizing excessive removal of vegetation that partially impairs views.

No changes were made.

7. The Planning Commission may require a development to provide public access if the development would reduce the public's physical or visual access to the shoreline.

There was some discussion about whether or not a private developer should be required to provide access through his development for the public. It was pointed out that some large developments such as Moses Pointe or Dune Lake Farms could reduce the access to the lake to such a degree that public access should be provided. The Commission liked that this policy says that providing public access is not mandatory, it is discretionary on the part of the Commission. The Commission also felt that there might be some developments where requiring community access would be appropriate, rather than access for the public as a whole.

No changes were made.

The next study session was set for Thursday, December 2, 2004 at 6:30 a.m. in the City Hall Conference Room.

The study session was adjourned at 8:10 a.m.