

MEMORANDUM



Date: April 20, 2020
To: Libby Grage, Don Measamer
From: Dan Nickel, Vice President; Alex Capron, Environmental Planner; The Watershed Company
Project Number: 180755
Project Name: Anacortes SMP

Subject: Anacortes SMP Draft Code Amendments Summary

This memo provides a summary of proposed draft Code Amendments for the (City) Shoreline Master Program (SMP) periodic update, prepared as a collaborative effort between City Staff, The Watershed Company, and preliminary comments from members of the public. Note, this is not an exhaustive list but a high-level summary of the most significant draft changes proposed to the SMP.

Organization

SMP Amendments are organized by amendment type, starting with legislative amendments to be consistent with state law, critical areas within shoreline jurisdiction, and other SMP Amendments to consider.

Legislative Amendments

- Cost threshold increase for requiring a shoreline substantial development permit for freshwater docks and development overall, based upon the Consumer Price Index for Washington state.
- Development definition amended to exclude dismantling structures.
- Aquaculture definition amended to exclude wild geoduck harvesting.
- Shoreline setback relief with shoreline restoration projects that result in a landward shift of the ordinary high water mark (OHWM).

Critical Areas within Shoreline Jurisdiction

- Remove the outdated critical areas regulations located in SMP Appendix A and instead reference the new City critical areas regulations ordinance when it is formally adopted.
- Exclude certain critical area alteration exemptions otherwise exempt critical areas regulations that otherwise need to proceed through shoreline permitting, vegetation trimming and reasonable use exemptions, for example.

Other SMP Amendments

- SED changes: Split Urban Designation into Conservancy (first 100' from OHWM) and Shoreline Residential (second 100') adjacent to Ship Harbor.
- SMP regulation to be re-located from standalone document to Title 19.
- Aquaculture: change from a prohibited use to a conditional use within the Aquatic Designation. Prohibits in-water (no fish pens), instead encouraging re-use of existing over-water structures.
- Vegetation Conservation: require a shoreline exemption for tree trimming.
 - o Trimming is limited view preservation, not creation, and to 75% of a tree canopy. Permit requirements include photos pre and post activity.
 - o Use of hand-operated versus motorized equipment used in vegetation clearing activities waives professionally-drawn re-planting plan requirement.
- Dock and Pier repair: Remove substructure reference in the 50% repair calculation for this difference between maintenance and pier development.
- Add provisions for a visual impact assessment when buildings exceed SMP 35' allowance.
- Define building height in shoreline jurisdiction as a set of regulations through incorporation of zoning-based height thresholds and exemptions to the height requirement.
- Update and prioritize the existing SMP Restoration Plan through a high-level weighted scoring system, prioritizing actions with the highest level of ecological benefit against anticipated project cost.
- Define buildable area when calculating impervious surfaces as the area outside critical areas within Conservancy and Shoreline Residential Designations.