

**CITY OF OAK HARBOR
SHORELINE MASTER PROGRAM UPDATE**

TASK A: PROPERTY OWNER MEETING SUMMARY

PREPARED BY:

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1 INTRODUCTION

1.1 BACKGROUND

The City of Oak Harbor is in the process of conducting a comprehensive Shoreline Master Program (SMP) update consistent with the Washington State Department of Ecology (Ecology) 2003 Shoreline Master Program Guidelines (Chapter 173-26 WAC). While the SMP is developed according to these standards, SMPs are tailored to the specific conditions and needs of individual communities. The City of Oak Harbor, along with other local governments in the state, is required by the Washington Shoreline Management Act to develop, adopt and periodically update an SMP, consistent with state law and guidelines.

The Act establishes three major policy goals for Shoreline Master Programs:

- **Preferred Shoreline Uses:** The Act establishes a preference for uses that are water-oriented and that are appropriate for the environmental context of the shoreline. Water oriented uses include (but are not limited to) such things as boat moorage and launching, fishing, swimming, and certain commercial and industrial uses that depend or are related to their water location, such as boat repair. Single-family residences are also identified as a priority use under the Act when developed in a manner consistent with protection of the natural environment.
- **Environmental Protection:** The Act requires protections for shoreline natural resources, including "...the land and its vegetation and wildlife, and the waters of the state and their aquatic life...". The SMP Guidelines further state that implementation of the SMP, including foreseeable development, should result in no net loss of ecological function.
- **Public Access:** The Act promotes public access to the water by mandating inclusion of a public access element in local SMPs with required provisions to increase public access to publicly owned shoreline areas and associated recreational opportunities.

1.2 PUBLIC PROCESS

As part of this process, the City's Development Services Department will continually provide updated information about the SMP Update Process on its website. The City recently completed its eighth and final meeting of the Shoreline Advisory Committee, an ad hoc group whose purpose it was to provide comment and feedback to staff on various drafts of the SMP.

The City is committed to engaging the larger community in the SMP Update. The City held a community-wide Shoreline Visioning Meeting on July 20, 2011, to:

- Inform and engage residents and other interested parties in the SMP Update Process
- Present key findings of the Draft Shoreline Inventory and Analysis Report
- Identify shoreline problems and opportunities

The Shoreline Visioning Meeting was intended to be one of several methods to get broad public

input of the SMP Update. A full description of the City's planned efforts is included in the *Public Involvement Strategy*, available at the City's website and at City Hall.

As a follow-up to the Shoreline Visioning Meeting and in an effort to keep stakeholders informed and engaged, the City conducted a Shoreline Property Owner's Meeting on April 11, 2012. The purpose of this meeting was to discuss the Draft SMP with property owners, especially as concerns provisions related to (1) setbacks, (2) vegetation conservation/management, (3) shoreline stabilization, (4) overwater structures and (5) other upland development standards.

1.3 DOCUMENT PURPOSE

The purpose of this document is to summarize the input received from participants at the Shoreline Property Owner's Meeting; identify key issues and common themes from that meeting.

2 MEETING SUMMARY

The following section describes the meeting, the materials presented and the comments received.

2.1 MEETING CONTENT

The Shoreline Property Owner Meeting was held on April 11, 2012 at the Oak Harbor Fire Department Meeting Room, from approximately 5:30 to 7:30 P.M. The original meeting agenda included the following objectives, topics and format:

MEETING OBJECTIVES:

- 1. Summarize key information about the Shoreline Master Program (SMP) Update of particular interest to shoreline property owners*
- 2. Answer questions and get public input on draft regulatory changes*

AGENDA:

I. Welcome, Introduction and Recap of the SMP Process to Date – Ethan Spoo, Senior Planner (15 minutes)

II. What the SMP Update Means for Shoreline Property Owners, PowerPoint Presentation on Key Aspects of the Draft SMP - Gabe Snedeker, Consulting Planner (30 minutes)

- Shoreline Setbacks*
- Other Upland Development Standards*
- Vegetation Conservation*
- Shoreline Stabilization*
- Overwater Structures*

III. Formal Question and Answer on Draft SMP Standards – Gabe Snedeker, Consulting Planner and Ethan Spoo, Senior Planner (45 minutes)

- Question and Answer, stepping through the five topics bulleted above*
- Next Steps in SMP Process*

IV. Informal Open House and Additional Opportunity for Discussion With Staff and Consultant Formal Question and Answer on Draft SMP Standards – Gabe Snedeker, Consulting Planner and Ethan Spoo, Senior Planner (30 minutes)

The presentation portion of the meeting (Items #1 and #2 above) lasted until 6:15 P.M. After that point, a formal question and answer period commenced. Due to the number of questions and amount of discussion, the formal question and answer period and informal open house were indistinguishable.

Meeting handouts and copies of the presentations are included at the end of this document.

2.2 QUESTIONS AND COMMENTS RECEIVED

The following questions and comments were received at the meeting. A brief description of the City staff and consultant response to questions follow each comment.

A. Public Comments/Questions and staff responses:

Question/Comment: Can the City provide information to property owners about best practices for slope stability, stormwater management, and vegetation management? Desire for information on appropriate native plants and alternatives to hard structural stabilization.

Response: City staff responded that they intend to provide additional information for residents and applicants in a “best practices manual”.

Question/Comment: Lots of questions about slope stability; do trees contribute to or detract from slope stability?

Response: In regards to slope stability, consultant explained that, overall, vegetation (including trees) contribute to slope stability in variety of ways, including uptake of water, root structures in the soil, and protecting soils from surficial erosion. In some cases, localized instability may result when trees and root wads topple over, but studies show overall impact is positive. Coastal bluffs are very susceptible to slope failure however and vegetation cover will have more of a positive impact preventing shallow failures and less of an impact on mitigating potentials for deeper failures. Consultant and staff explained that the setback would be determined by City based on a geotechnical report (similar to now), but in no case could it be less than 25 ft. from top of slope.

- *Question/Comment: City should work with residents to address stormwater and slope issues on Scenic Heights.*
- *Question/Comment: Support expressed for an SMP policy to address stormwater and slope issues in Scenic Heights.*
- *Question/Comment: More than one comment indicating that Scenic Heights residents have noticed an increase in stormwater run-off in recent years.*
- *Question/Comment: Comment that stormwater appears to contribute to slope instability on Scenic Heights*
- *Question/Comment: Concerns about run-off associated with public roads and development higher in the basin.*
- *Question/Comment: Comments about an upstream stormwater detention pond in the Eagle Crest Development that may not be operating properly.*
- *Question/Comment: Comment that the 25-foot minimum slope setback may not be adequate.*

Response: City agreed to include a policy in the draft SMP referencing/addressing the perceived stormwater runoff issue in Scenic Heights. Consultant and staff explained

that the setback would be determined by City based on a geotechnical report (similar to now), but in no case could it be less than 25-feet from top of slope.

- *Question/Comment: Concern expressed about the “value” of the geotechnical report and how much assurance this really provides.*

- *Question/Comment: How effective is soft shoreline stabilization?*

Response: Consultant responded that there are a wide variety of soft stabilization techniques and effectiveness varies widely. These are pretty “mainstream” on lake shorelines, and are becoming more common on saltwater shorelines. A variety of factors impact effectiveness, including upland slope, nearshore slope, exposure to storms, etc. A qualified and experienced professional (generally a geotechnical engineer) is needed to design stabilization that is appropriate for site conditions.

- *Question/Comment: Is Freund Marsh levee subject to general stabilization requirements.*

Response: Consultant responded that we have modified the Draft regarding this issue and the levee is subject to somewhat different requirements for flood protection structures.

- *Question/Comment: Is the City “for” or “against” stabilizing Scenic Heights Bluffs with armoring.*

Response: Consultant and City staff explained that the intent is to implement the requirements in the state SMP guidelines for stabilization (including ensuring no net loss of shoreline function) and to make sure that property owners have a viable pathway for protecting their property. Stabilization retains sediment and has an impact on shoreline processes, including beach formation. These impacts need to be avoided if possible and mitigated. For new hard structural stabilization, in summary, the state guidelines require that the applicant demonstrate based on a geotechnical report that without the structural stabilization measure a primary structure will be damaged within 3 years from shoreline erosion caused by waves, and that non-structural solutions with less impact are not feasible. Soft stabilization may be used when the need is less immediate than 3 years. For replacement stabilization, similar requirements apply, but you only have to demonstrate the use is at risk, rather than the structure. For minor repairs, process is streamlined and an alternatives analysis is not required.

- *Question/Comment: Is the City being more restrictive than state stabilization guidelines require?*

Response: Consultant responded that we are following the state guidelines. One key local difference is we have included less restrictive rules for the repair of structural stabilization (where the guidelines are essentially silent). In addition, we are requiring a conditional use permit for structural shoreline stabilization in Scenic Heights to ensure greater scrutiny and broader input on stabilization permit decisions in this environmentally sensitive area. Guidelines do not explicitly require a conditional use, but it appears appropriate at this time given the purpose of and ecological conditions in the proposed Residential - Bluff Conservancy environment designation.

3 KEY ISSUES IDENTIFIED AND NEXT STEPS

3.1 KEY ISSUES

Based on the input from the public and property owners at the meeting, the following key themes emerged:

- Property owners would like information on best practices for bluff management along scenic heights, including recommendations for plantings, stabilization, and stormwater management.
- Property owners were particularly concerned about stormwater runoff and the Scenic Heights bluff. They voiced concerns about how the stormwater runoff was impacting slope stability and problems with erosion.

3.2 NEXT STEPS

The City will compile a best practices manual, drawing on existing sources of information such as Department of Ecology publications and the *Stormwater Management Manual for Western Washington*. In addition, staff will include a policy in the draft SMP which indicates that the City will coordinate with bluff property owners to identify erosion and runoff issues and potential solutions and funding sources.

City of Oak Harbor SMP Update – April 11, 2011

Summary of Existing Regulations and Proposed Changes in Preliminary Draft SMP

Handout#1 - Basic Development Regulations

Code Standard	Existing SMP Requirement	Existing Zoning Requirement	Proposed Requirement in Preliminary Draft SMP
Shoreline Designation Environment	Scenic Heights – <i>Natural</i> Freund Marsh – <i>Natural</i> Dillard's Addition and adjacent single family residential – <i>Urban Residential</i> Windjammer all the way through Marina property - <i>Urban</i> All Other Areas - <i>Natural</i>	N/A	Scenic Heights – <i>Residential Bluff Conservancy</i> Dillard's Addition and adjacent single family residential – <i>Residential</i> Windjammer and Flintstone Parks – <i>Urban Public Facility</i> Areas zoned for multifamily and commercial development – <i>Urban Mixed Use</i> Marina and intensively developed portions of Seaplane Base – <i>Maritime</i> Freund Marsh and all other areas – <i>Conservancy</i>
Setbacks from Ordinary High Water Mark	Single Family – 30 feet, with some potential for reduction if views blocked Multifamily – 40 feet Community facilities – 50 feet Commercial uses – 40 feet Industrial uses – not permitted	None, except critical areas regulations already require top of bluff setback to be determined based on a geotechnical engineer's recommendation, with a minimum of 25 feet.	<i>Residential</i> : 50 feet, may be reduced to a minimum of 35 feet based on average of adjoining properties within 100 feet. <i>Residential – Bluff Conservancy</i> : based on geotech, min. 25 ft. from top of bluff <i>Urban Mixed Use</i> : 50 feet, may be reduced to a minimum of 40 feet based on average of adjoining properties within 100 feet. <i>Urban Public Facility</i> : 75 feet <i>Maritime</i> – 50 ft, with some allowances for water dependent industry in setback <i>Conservancy</i> – 100 feet
Impervious Surface Coverage or Lot Coverage	No impervious surface limit in current SMP but zoning lot coverage limits apply	Lot (building) coverage max. by zone: Single family: 40% R-4 (Multi-family): 45% (80% impervious limit) Public Facility: No limit CBD and CBD-1: No limit	<i>Residential</i> : 40% <i>Residential Bluff Conservancy</i> : 30% <i>Urban Mixed Use</i> : 80% <i>Urban Public Facility</i> : 40% (Windjammer), 80% (Flintstone Park) <i>Maritime</i> : 80% <i>Conservancy</i> : 10%
Residential Density	No density provisions in current SMP, zoning density applies	Single Family: 6 units/acre R-4 Multi: 22 units/acre CBD/CBD-1: No limit	No change in density. Residential density would be subject to requirements in underlying zoning only, 60 ft. minimum lot width and lot frontage would apply in Residential environment (single family).
Height	35 ft.	35 feet in all zones, except up to 55 in CBD zone for mixed use with view mitigation	35 ft. max. height proposed in all Shoreline Environments except those portions of the Urban Mixed Use Environment located within the CBD zone, where up to 55 ft. would be allowed. View study and view mitigation would be required to exceed 35 ft., as well as compliance with all requirements in underlying zoning.

Note: Nothing in the current or future regulations will require modification or discontinuation of existing development that is not being expanded or replaced.

City of Oak Harbor SMP Update – April 11, 2011

Summary of Existing Regulations and Proposed Changes in Preliminary Draft SMP

Handout#2 - Vegetation and Modification Regulations

Code Standard	<u>Existing Requirements</u>	<u>Proposed Requirement in Preliminary Draft SMP</u>
Vegetation Management	<p>Very limited standards in current SMP. <i>Section 5.02</i> states that “clearing, grading or filling... shall be limited to the minimum amount necessary for development.”</p> <p>See <i>Oak Harbor Municipal Code (OHMC) Chapter 19.46, Landscaping and Screening (Ordinance 1615)</i>. See also existing <i>Critical Areas Regulations in OHMC Title 20 and OHMC Chapter 20.16, Tree Protection</i> (regulating oak trees).</p>	<ul style="list-style-type: none"> • See Chapter 3, Section B.8 of Draft SMP for proposed regulations • Existing landscaping may be maintained even if it does not comply with SMP • Normal pruning allowed, but tree removal requires replacement at approved ratio • Vegetation removal limited to minimum necessary to accommodate approved shoreline development • Applicant must prepare landscape plan and comply with standards when major development is proposed. Detailed landscape plan may be waived when existing native vegetation meets standards. • 15% of Residential lot area must be native vegetation. Shoreline setback counts toward requirement. • Shoreline Setback Zone 1: Generally, first 30 feet from OHWM. In Residential Bluff Conservancy Zone 1 also includes bluff and top of slope setback recommended by geotechnical engineer. <ul style="list-style-type: none"> ○ All healthy native vegetation must be retained; priority zone for vegetation planting ○ Existing non-native landscaping may not be expanded ○ Pervious paths max. 6 feet wide and Waterfront trail allowed ○ 80% of Zone 1 shall be retained or planted in native vegetation • Shoreline Setback Zone 2: Remaining portions of the shoreline setback <ul style="list-style-type: none"> ○ Gazebos, boathouses and other water-oriented accessory structures 12 ft. or less allowed ○ Hot tubs, pools and free-draining uncovered decks less than 42 inches high allowed ○ Pervious paths max. 6 feet wide and Waterfront Trail allowed ○ Existing ornamental landscaping may be maintained and expanded subject to the limit below ○ 60% of Zone 2 shall be retained or planted in native vegetation • City may modify standards above based on a landscaping plan prepared by a qualified professional, such as a landscape architect, that results in equal or greater ecological function
Shoreline Stabilization (Bulkheads)	<p><i>SMP 5.07</i>, Bulkheads only authorized when: Erosion is seriously threatening a use and structures, bulkhead is necessary in connection with a water dependent use, or bulkhead is least destructive feasible means to stabilize a landfill. Bulkheads not allowed in conjunction with new development when practical alternatives exist.</p>	<ul style="list-style-type: none"> • See Chapter 5, Section C.1 of Draft SMP for proposed regulations • We must implement new specific state requirements for shoreline stabilization, in addition to no net loss • Mitigation sequencing and no net loss of ecological function required • Standards promote softer shoreline stabilization where feasible, e.g. vegetation, beach enhancement, anchored logs, etc. In some cases hybrid approaches may be appropriate, combo of soft and hard. • New and enlarged structural stabilization only permitted when needed to protect primary structures, must demonstrate need and that softer stabilization measures not feasible • Replacement stabilization permitted when needed to protect uses or structure, must demonstrate need • Minor stabilization repair allowed without need demonstration • Major repair allowed without need demonstration if primary structure within 10 feet of shoreline • Dikes and levees can be repaired without need demonstration
Piers, docks, mooring buoys, and mooring balls	<p><i>SMP 5.01, Use Table</i>, Docks and piers permitted, except in Natural. Length limited to 60 feet, or 3 feet at MLLW. Mooring buoys require conditional use permit.</p>	<ul style="list-style-type: none"> • See Chapter 5, Section C.4 of Draft SMP for proposed regulations • Piers and docks not permitted in Residential, Residential-Bluff Conservancy, Conservancy, and Windjammer Park; conditional use in Urban Mixed Use, permitted in Maritime and Flintstone Park • New materials, design, construction and mitigation standards, including light transmission • Docks and piers must be the shortest length necessary to provide moorage for the intended use • Mooring balls and buoys conditional adjacent to Residential, Residential-Bluff Conservancy, and Conservancy; permitted in Maritime, Urban Mixed Use, and Urban Public Facility



Property owner meeting 4/11/2012

SHORELINE MASTER PROGRAM UPDATE

SMA HISTORY

- × History of shoreline management
 - + Early 1970s – Shoreline Management Act (SMA)
 - × “Uncoordinated and piecemeal development”
 - × Three big goals: public access, environment, water-dependent uses
 - + Mid 70s – City/county adopted joint SMP
 - + 1998 – City adopted its own SMP

WHAT IS A SHORELINE MASTER PROGRAM?

- × Implements SMA
- × Is the City & State's plan for managing shorelines
- × Established goals, policies, and regulations for shoreline protection, use and development
- × Joint nature of shoreline planning

SMA HISTORY

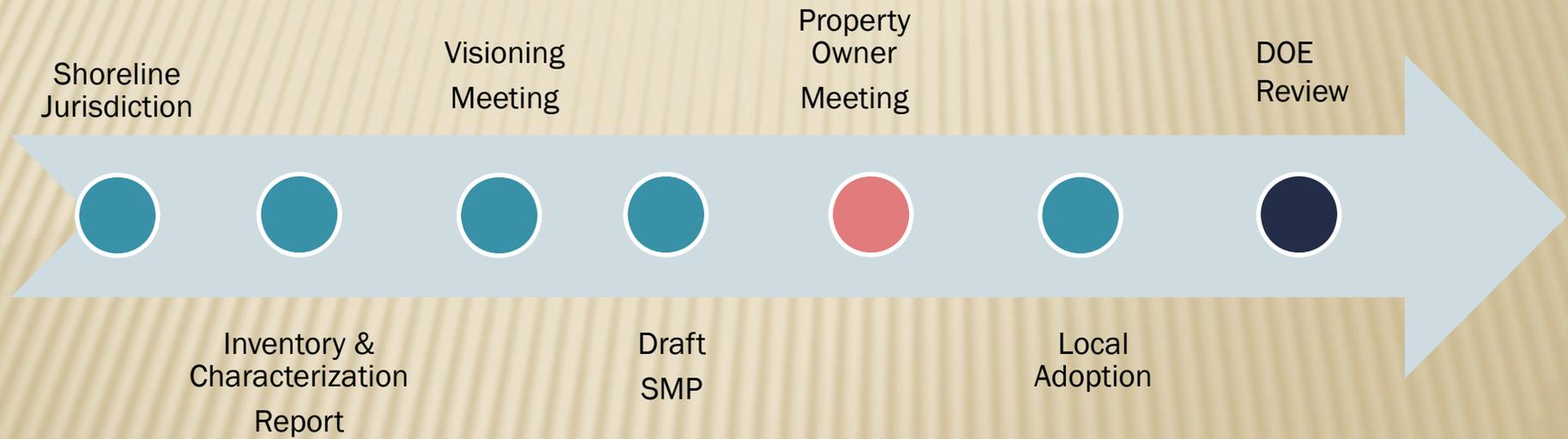
- × Late 1990s/early 2000s – conflict @ state level
 - + Environmental interests
 - + Business/property owner interests
 - + Came to agreement in 2003 – No net loss of ecological functions
 - + No net loss ≠ no development

NEW GUIDELINES AND THE GRANT

- × State Guidelines (2003)
 - + Very specific in some cases (stabilization)
 - + Not specific in other cases (vegetation conservation)
 - + Opportunities for local influence

- × State grant
 - + City received \$125k grant to update SMP to comply with new Guidelines in 2010

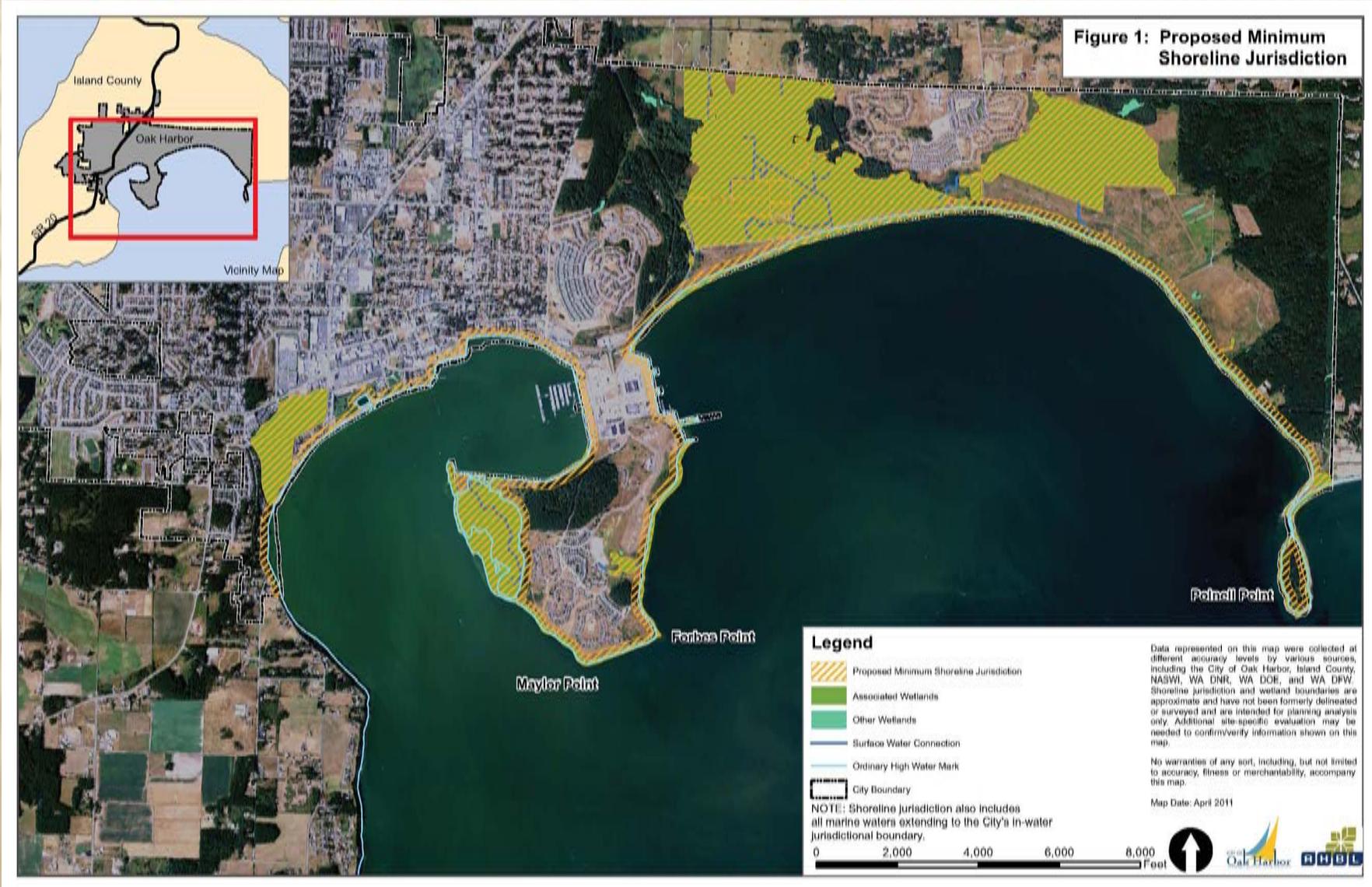
PROJECT MILESTONES



PUBLIC PROCESS

- × Project information via City website
- × Visioning workshop – July 20, 2011
- × 8 meetings of stakeholder committee (August 2011– April 2012)
- × Property owner meeting
 - + Notices sent to property owners and put in newspaper/website/chanel 10
- × Planning Commission and City Council meetings

SHORELINE JURISDICTION

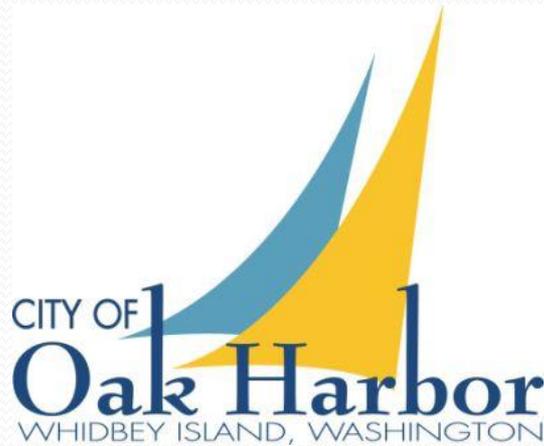


VISIONING MEETING

- × Questions about setbacks/views and OHWM
- × Concern about new regulations/required mitigations
- × Slope stability for Scenic Heights
- × Property owner – best practices manual

AGENDA

- × What the SMP update means for property owners
- × Formal question and answer
- × Informal open house



Shoreline Master Program Update Shoreline Property Owner Meeting

Gabe Snedeker, Project Manager
AHBL
April 11, 2012



Meeting Purpose

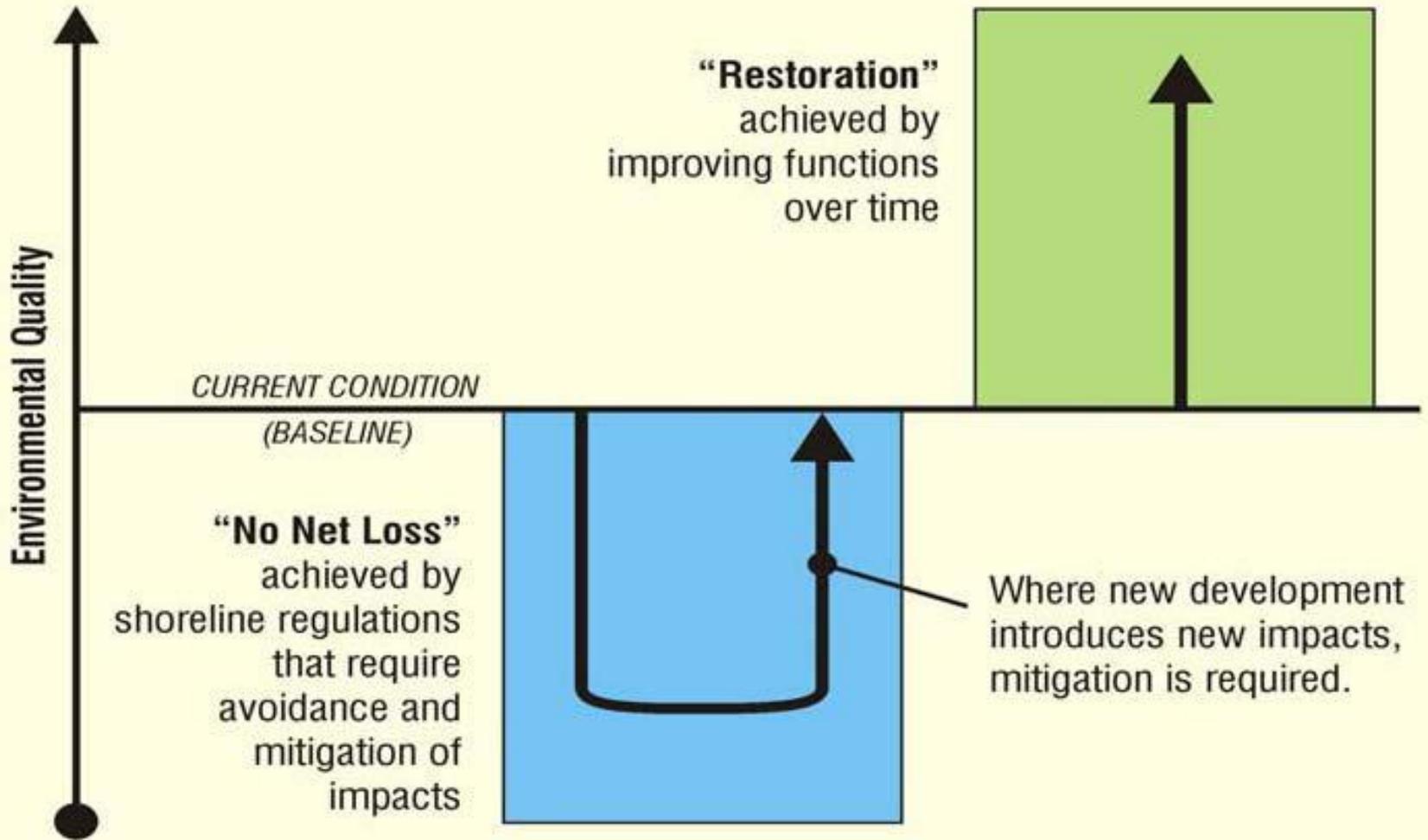
- Explain anticipated regulatory changes in the SMP of particular importance to shoreline property owners
- Opportunity for you to provide feedback
- Explain next steps in the SMP Update Process, including when the DRAFT SMP will be available
- Opportunity for additional discussion with City staff and consultant, e.g. property specific issues

What are the major requirements of the SMA?

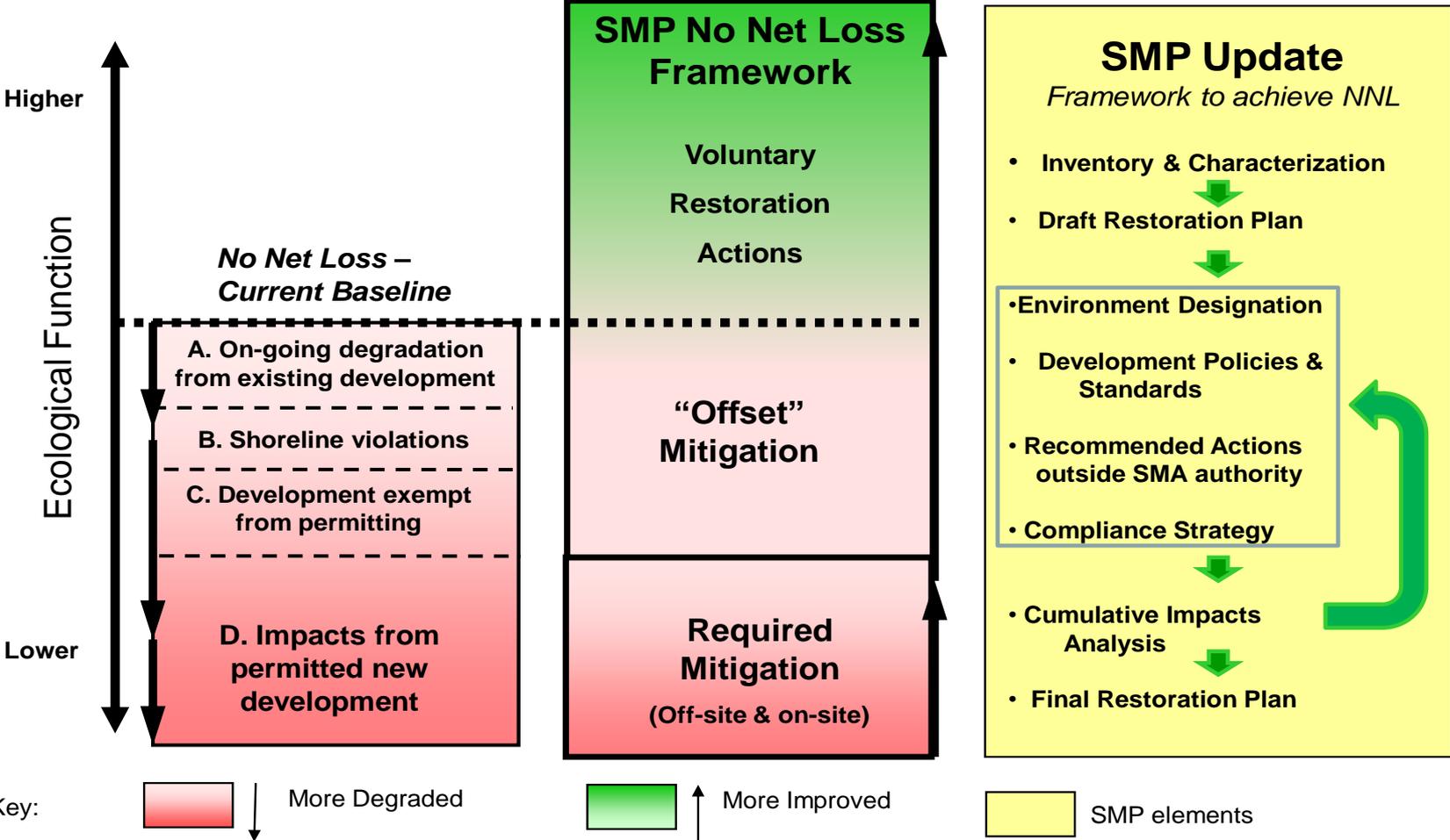
- Protect and restore ecological function – “no net loss”
- Preserve and enhance public access
- Cooperative local & state management
- Foster “all reasonable and appropriate uses”
- Give preference to water-dependent uses
- Require & encourage public input in decision making

Key Concept: “No Net Loss”

- “No net loss of ecological functions necessary to sustain shoreline natural resources”
- No net loss is measured from the existing baseline documented in the Analysis Report
- New impacts must be avoided and mitigated
- In practice this equates to more stringent development controls in areas of high ecological function
- Restoration plan will help restore and improve functions through non-regulatory approaches



SMP Updates: Achieving No Net Loss of Ecological Function



The SMP Update will NOT

- Take away existing private property
- Prevent you from maintaining your property
- Require existing shoreline homes to be relocated
- Require existing landscaping to be modified if no development occurs
- Apply retroactively: the starting point is where you are today



Shoreline Environments

- **Maritime** – intensive water-oriented industrial, commercial, recreational and military uses
- **Urban Mixed Use - CBD**
- **Urban Public Facility** – water oriented park and public uses
- **Residential** – Low bank SFR
- **Residential Bluff Conservancy** – SFR above unstable slopes
- **Conservancy** – wetlands and undeveloped semi-natural areas



Figure 1

Shoreline Environment Designations

- Maritime
- Urban Mixed Use
- Residential
- Residential - Bluff Conservancy
- Urban Public Facility
- Conservancy



0 1,000 2,000
Feet

Data represented on this map were collected at different accuracy levels by various sources, including the City of Oak Harbor, Island County, NASWI, WA DNR Shorezone data and WDFW. Shoreline jurisdiction and wetland boundaries are approximate and have not been formerly delineated or surveyed and are intended for planning analysis only. Additional site-specific evaluation may be needed to confirm/verify information shown on this map. No warranties of any sort, including, but not limited to accuracy, fitness or merchantability, accompany this map.

Map Date: March 2012

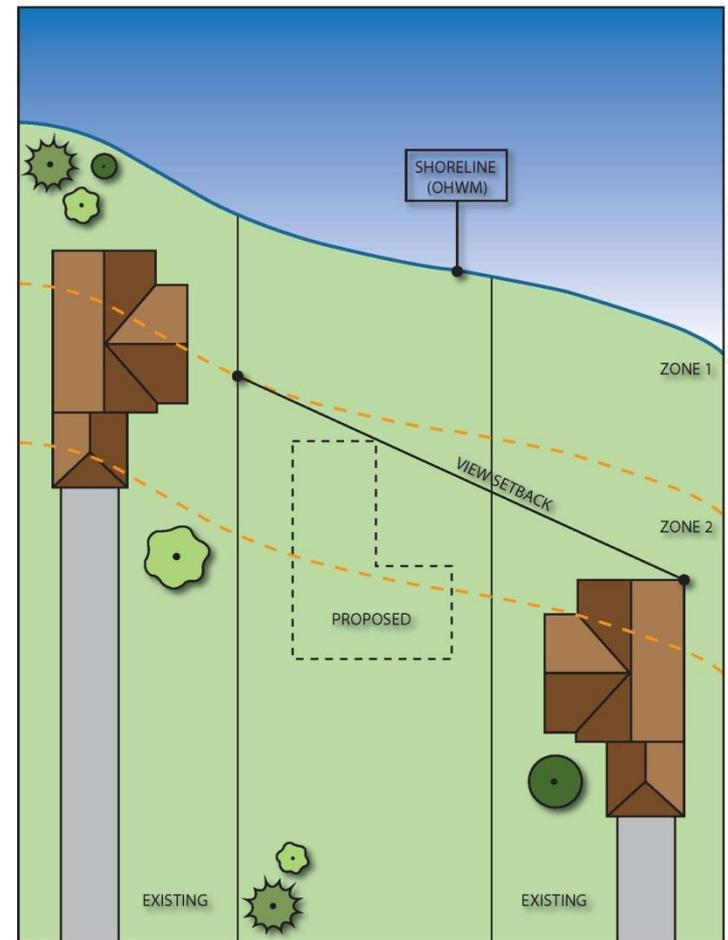
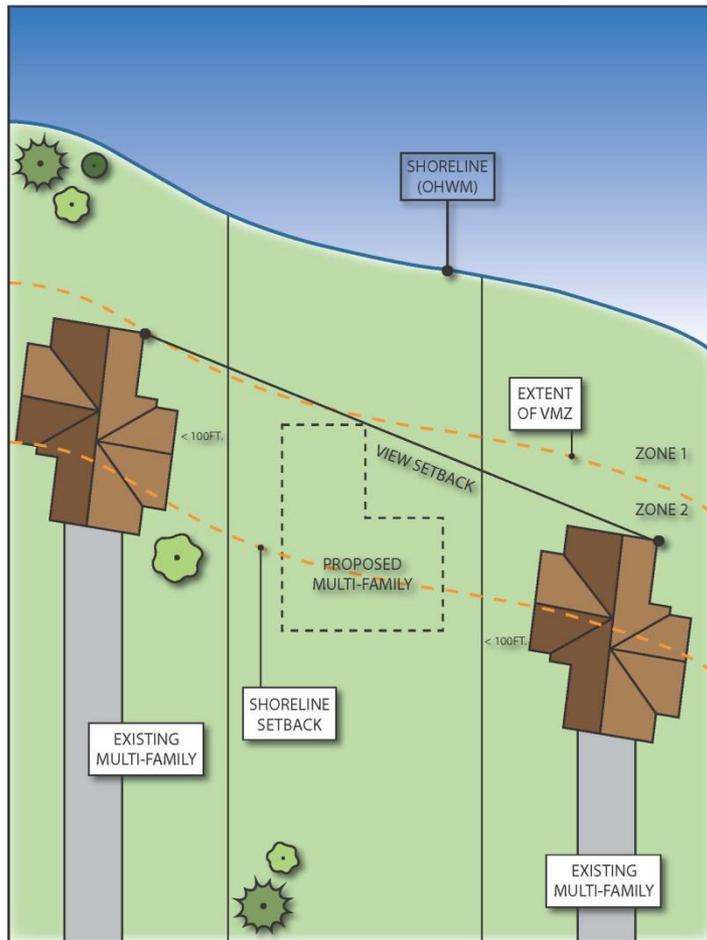


Key Regulations: Setbacks

- Current regulatory setback is 30 ft (SFR), 40 ft (MF)
- Some existing structures are closer
- Proposed max. setback is 50 feet but can be reduced to the average setback of adjoining properties
- Min. setback 35 for SFR, 40 for MF
- Scenic Heights bluff setback based on geotechnical recommendation
- Minimum 25 ft top of bluff setback



Setback Diagrams



Key Regs: Impervious Surface

- Single family lot impervious surface: 40% max.
- Multi-family (where allowed) lot impervious: 80% max.
- No impervious surface coverage allowed in first 30 feet of setback (Zone 1), except for water dependent uses and public access
- 30% max. allowed in remaining setback area (Zone 2)



Key Regulations: Vegetation Conservation

- Removal of native vegetation impacts shoreline function
- Existing landscaping may be maintained even if it does not comply with current SMP
- Major new development or certain modifications within setback will trigger new requirements
- 15% of lot in Shoreline Residential must be native vegetation, setback may count toward requirement

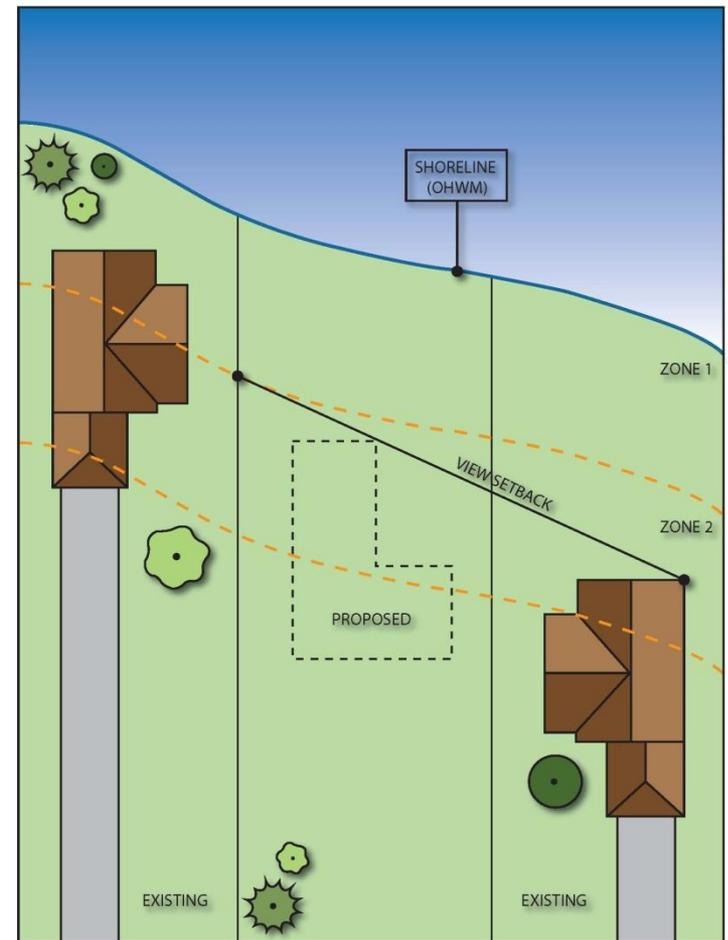
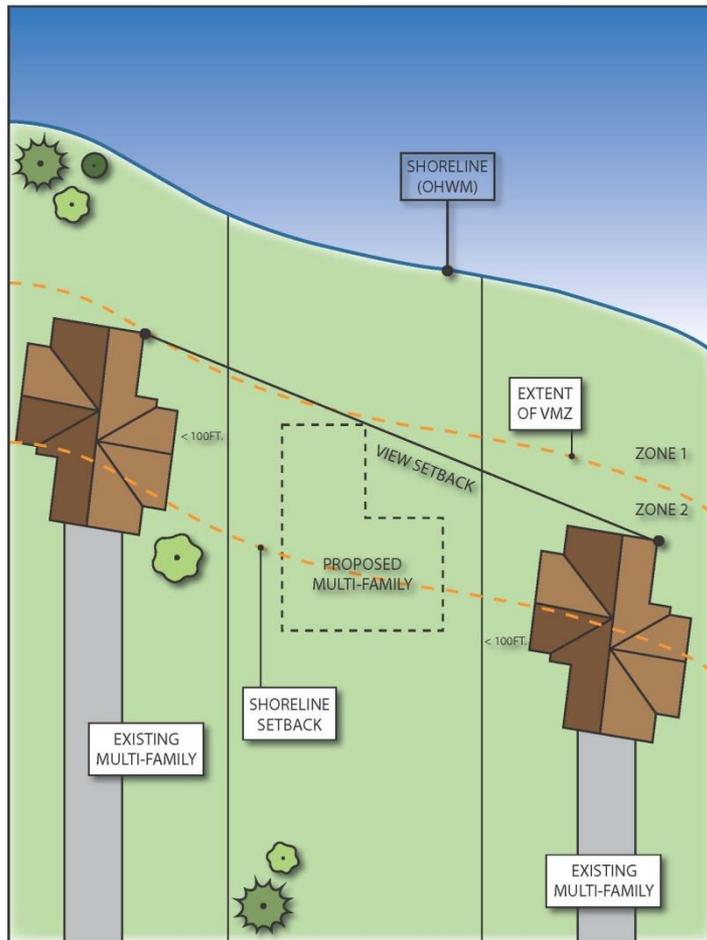


Vegetation Conservation (Cont.)

- Stronger vegetation standards apply in shoreline setback and top of bluff setback
- Setback Zone 1: 80% native veg.
- Setback Zone 2: 60% native veg.
- Native vegetation must be site appropriate
- Tree removals require replacement
- City may modify standards if proposal provides equal function



Setback Diagrams



Key Regulations: Shoreline Stabilization and Bulkheads

WAC 173-26-231(3)(a)

“Shoreline stabilization includes actions taken to address erosion impacts to property and dwellings, businesses, or structures caused by natural processes, such as current, flood, tides, wind or wave action. These actions include structural and nonstructural methods.”

Shoreline Stabilization and Bulkheads



Image courtesy of WA Department of Ecology

“Hard” structural stabilization measures refer to those with solid, hard surfaces, such as concrete bulkheads...



Image courtesy of The Watershed Company

...while “soft” structural measures rely on less rigid materials, such as biotechnical vegetation measures or beach enhancement.







Shoreline Stabilization and Bulkheads

- State-required restrictions on structural stabilization:
 - New development shall be designed to avoid need for stabilization to the extent feasible
 - New bulkheads only to protect primary structures, must demonstrate need and softer measures not feasible
 - Replacement bulkheads can protect use or structure, must demonstrate need and other measures infeasible
- Minor repair will be allowed without need demonstration
- Major repair allowed without need demonstration if primary structure within 10 feet of OHWM

Shoreline Stabilization

- Need demonstration must address feasibility of softer stabilization techniques with less impact
- Where a geotech report confirms need to prevent structure damage, but need is less immediate than 3 years, new soft structural stabilization may be permitted
- Soft stabilization may include the use of gravels, cobbles, boulders and logs, as well as vegetation
- Techniques may include a combo of soft and hard armoring
- Soft stabilization may be permitted waterward of OHWM
- Levees and dikes subject to flood hazard regs and can be repaired without structure protection need demonstration

Bulkhead Removal, San Juan County



Before



After

Images courtesy of Friends of the San Juans



Frye Cove Bulkhead Restoration, Hood Canal





Sea Wall Removal Project, Seahurst Park, Burien
Image courtesy of WA Department of Ecology

Key Regs: Overwater Structures & Buoys

- Based on site conditions, focus is on encouraging moorage at marina
- Piers and docks not allowed adjacent to Residential (SFR)
- Mooring balls and buoys conditional use in Aquatic areas adjacent to Residential, permitted adjacent to Urban Mixed Use
- Piers require a conditional use permit in Urban Mixed Use





Key Regulations:

Nonconforming Development

- Development that does not comply with current regs, e.g. shoreline setback or vegetation standards
- Structures can be maintained and modified up to certain limits, but no increase in nonconformity is allowed
- Single family homes that are damaged can be rebuilt to previous configurations regardless of cost
- Other structures that are damaged must comply with current SMP if proposal cost is 75% of replacement cost
- Threshold for intentional modification (e.g. remodel or addition) is 60% of replacement cost

Next Steps

- Get feedback on Draft SMP policies and regulations
- Issue revised Review Draft and make available on-line
- Preliminary DOE review
- Planning Commission review
- City Council review
- Local and state adoption process (late 2012)

Questions?



Project Contacts:

Ethan Spoo, Senior Planner, City of Oak Harbor

Gabe Snedeker, Project Manager, AHBL