

Summary of Requested Changes to Draft SMP Version 04-12-16

Below are changes to the draft SMP based on comments received from the Department of Ecology on the version dated April 13, 2016. Non-substantive changes related to grammar or citations are not included in this list. The May 3, 2016 version reflect these changes.

1. Page 1, Preface

~~While the SMA gives authority to the city to prepare and implement a SMP that reflects local geographic, economic, and environmental conditions, the state, through the Washington Department of Ecology, has dual approval authority for specific permits issued by the city under its Master Program.~~

The SMA gives authority to the city to prepare a SMP that reflects local geographic, economic, and environmental conditions. However, the city must obtain approval of the SMP by the Washington Department of Ecology before its adoption. In addition, while the city may review and issue shoreline substantial development permits, shoreline conditional use and variance permits must receive dual approval by the Washington Department of Ecology as well before becoming effective. Together, this legislatively mandated partnership ensures that shoreline development meets the requirements of the SMA.

2. Page 5, Section 1.5.1

Chapter 14.15 of the South Bend Municipal Code (SBMC), Critical Areas, (as adopted June XX, 2016) is integral and applicable to this Master Program and is hereby adopted by reference; provided, however, that the following exceptions shall apply:

3. Page 6, Section 1.6.5

Federal projects ~~must~~ should comply with WAC 173-27-060. *(This citation addresses the applicability of the SMA to federal lands and agencies.)*

4. Page 8, New Section 2.2.7

Any change to the boundary of a shoreline environment designation, or the conversion of one shoreline environment designation to another, requires a Master Program amendment.

5. Page 10, Table 1

Add Recreational Development as a permitted use in the Urban Conservancy Environment

6. Page 16, Section 3.5.3 D

~~The location of new structural flood hazard reduction measures shall be landward of the ordinary high water mark and associated wetlands.~~

The placement of new structural flood hazard reduction measures shall be landward of associated wetlands and shoreline buffers except for actions that increase ecological functions, such as wetland restoration. Flood hazard reduction projects may be authorized only if geotechnical analysis documents and determines that no other alternative is feasible for reducing flood hazards to existing development.

7. Page 23, Section 4.4.3 G

Water-related and water-enjoyment uses may be allowed at boating facilities where they are clearly auxiliary to and in support of water-dependent uses, ~~provided the minimum size requirement needed to meet the water-dependent use is not violated.~~

8. Page 24, Section 4.5.3 D

Nonwater-oriented commercial development may locate within an existing, vacant structure that remains unoccupied for greater than 90 days, provided there is no expansion of the structure.

9. Page 25, Section 4.6.3 F

~~Conversion of forestlands within shoreline jurisdiction to a different use shall protect shoreline ecological functions consistent with the provisions in~~ **Error! Reference source not found.**

Preparatory work associated with the conversion of forestlands within shoreline jurisdiction to a non-forestry use or development shall be consistent with the provisions of this Master Program, including protection of ecological functions by retaining or establishing native vegetation within the shoreline buffer.

10. Page 33, Section 5.5.3 D v

~~An administrative variance is available to adjust~~ The Administrator may approve increasing the maximum dimensions for piers, floats, and ramps to accommodate a resident with disabilities.