

13.0 SHORELINE ELEMENT

13.1 Introduction

Pursuant to the Growth Management Act (GMA) and the Shoreline Management Act (SMA), the City of Covington Shoreline Master Program (SMP) in its entirety is an element of the Comprehensive Plan. This chapter provides a brief summary of the SMP. Please refer to the complete SMP on file with the City Clerk and adopted by reference with this Chapter of the Comprehensive Plan for more detailed policy and regulatory guidance. Where a conflict exists between the language in this summary and that contained in the SMP, the latter shall apply.

The City of Covington (City) obtained a grant from the Washington Department of Ecology (Ecology) in 2007 to conduct a comprehensive Shoreline Master Program (SMP) update pursuant to the requirements contained in the Shoreline Master Program Guidelines (Chapter 173-26 WAC), hereafter referred to as The Guidelines. The first step of the update process was to inventory the City's shoreline jurisdiction as defined by the SMA (RCW 90.58). Biological and physical conditions were then analyzed and characterized in the *Covington Shoreline Analysis Report*. This created a baseline from which future development actions in the shoreline will be measured. Environment designations were then identified for the different shoreline reaches, and goals, policies and regulations were developed.

The Guidelines require that the City demonstrate that implementation of the SMP will result "no net loss" in shoreline ecological functions relative to the baseline. Ideally, the SMP in combination with other City and regional efforts will ultimately produce a net improvement in shoreline ecological functions.

The purposes of this Master Program are:

1. To carry out the responsibilities given to the City of Covington by the Washington State Shoreline Management Act (RCW 90.58)

2. Promote the public health, safety, and general welfare, by providing a guide and regulation for the future development of the shoreline resources of the City of Covington.
3. To further, by adoption, the policies of RCW 90.58, and the goals of this Master Program.

13.2 Planning Context

The goals and policies of the Shoreline Master Program reflect the requirements of the Shoreline Management Act, the Washington State Department of Ecology Shoreline Master Program Guidelines (Chapter 173-26 WAC) and the preferences and vision of the City of Covington as expressed in this Comprehensive Plan.

Washington's **Shoreline Management Act** (Act) was adopted by the public in a 1972 referendum "to prevent the inherent harm in an uncoordinated and piecemeal development of the state's shorelines." The Act has three broad policies:

1. **Encourage water-dependent uses:** "uses shall be preferred which are consistent with control of pollution and prevention of damage to the natural environment, or are unique to or dependent upon use of the states' shorelines..."
2. **Protect shoreline natural resources,** including "...the land and its vegetation and wildlife, and the water of the state and their aquatic life..."
3. **Promote public access:** "the public's opportunity to enjoy the physical and aesthetic qualities of natural shorelines of the state shall be preserved to the greatest extent feasible consistent with the overall best interest of the state and the people generally."

This Act recognizes that "shorelines are among the most valuable and fragile" of the state's resources. The Act, and the City of Covington, recognize and protect private property rights along the shoreline, while aiming to preserve the quality of this unique resource for all state residents.

The primary purpose of the Act is to provide for the management and protection of the state's shoreline resources by planning for reasonable and appropriate uses. In order to protect the public interest in preserving these shorelines, the Act establishes a coordinated planning program between the state and local jurisdictions to use in addressing the types and effects of

development occurring along the state's shorelines. By law, the City is responsible for the following:

1. Development of an inventory of the natural characteristics and land use patterns along shorelines covered by the act.
2. Preparation of a "Master Program" to determine the future of the shorelines.
3. Development of a permit system to further the goals and policies of both the act and the local Master Plan.
4. Development of a Restoration Plan that includes goals, policies and actions for restoration of impaired shoreline ecological functions.

The provisions of the Shoreline Master Program may be amended as provided for in RCW 90.58.120 and .200 and Chapter 173-26 WAC. Any amendments shall also be subject to the procedures in CMC Chapter 14.25. Amendments or revisions to the Master Program, as provided by law, do not become effective until approved by both the City of Covington and the Department of Ecology.

13.3 Shoreline Jurisdiction and Environment Designations

The SMP only applies to those areas within shoreline jurisdiction. Shoreline jurisdiction in the City of Covington includes the waters and upland area within 200 feet of the ordinary high water mark of the lower reaches of Big Soos Creek and Jenkins Creek, and those portions of Pipe Lake within the City. In addition, associated wetlands and portions of the floodplain are also included as described in the SMP. Figure 13.1 shows those areas believed to fall within Shoreline jurisdiction, however, the actual definition contained in the SMP and SMA shall apply, regardless of the mapped extent.

The basic intent of shoreline environment designations is to encourage development that will enhance the present or desired character of the shoreline. To accomplish this, shoreline segments are given an environment designation based on existing development patterns, biological capabilities and limitations, and the aspirations of the local citizenry. Environment designations are categories that reflect the overall type of development that should take place in a given area.

Shoreline environments are derived from the *Covington Shoreline Analysis Report*, the *Covington Comprehensive Plan*, and the environments recommended by the Shoreline Management Act (RCW 90.58) and the Shoreline Guidelines (Chapter 1783-26 WAC). *The Shoreline Analysis Report* provides an inventory of natural and built conditions in the City's shoreline jurisdiction. The conditions identified in the inventory have been compared with the recommended shoreline environments and the most appropriate environments selected.

The five (5) Covington shoreline environment designations are:

1. High-Intensity,
2. Medium-Intensity,
3. Shoreline Residential,
4. Urban Conservancy, and
5. Aquatic.

These shoreline environments are illustrated for the City of Covington in Figure 13.1, located at the end of this chapter, and described in the text below. Each shoreline description includes a statement of purpose, followed by designation criteria and designated areas. Any undesignated shorelines are automatically assigned an Urban Conservancy environment. Please see the complete SMP for the entire list of management policies and regulations pertaining to the shoreline environments.

13.3.1 High Intensity

The purpose of the High-Intensity environment designation is to provide for high-intensity water-oriented and non-water oriented commercial, transportation, and industrial uses while protecting existing ecological functions and restoring ecological functions in areas that have been previously degraded.

Designation criteria: assign a High-Intensity environment designation to shoreline areas within incorporated municipalities and urban growth areas, if they currently support high-intensity uses related to commerce, transportation or navigation; or are suitable and planned for high-intensity water-oriented uses.

Designated areas: the only High-Intensity area is that portion of Jenkins Creek adjacent to the Bonneville Power Authority utility site as shown in Figure 13.1. Specifically, the High-Intensity area includes the shorelands of Jenkins Creek from the City boundary, upstream to the eastern edge of the public right-of-way that contains the bridge at Covington Way SE.

13.3.2 Medium Intensity

The purpose of the Medium-Intensity environment designation is to provide for water oriented and non-water oriented commercial, mixed-use, and residential uses while protecting existing ecological functions and restoring ecological functions in areas that have been previously degraded. Adaptive reuse of existing structures for office uses is emphasized, along with public access and water-enjoyment uses.

Designation criteria: assign a Medium-Intensity environment designation to shoreline areas if they currently support residential, water-enjoyment or commercial uses, are located in upland areas outside of stream buffers, and are suitable and planned for limited intensity commercial, residential or water-enjoyment uses.

Designated areas: shoreline areas located outside of the 115 foot stream buffer along Jenkins Creek have a Medium-Intensity environment designation as shown in Figure 13.1. These areas include shorelands located at least 115 feet from the OHWM of Jenkins Creek up to 200 feet from the OHWM of Jenkins Creek, and beyond to the boundary of any associated wetlands where these are found to exist. The linear extent of the Medium-Intensity environment extends to the eastern edge of the right of way that contains the Covington Way SE bridge, upstream to the point where two tributaries join and the 20 cubic feet per second mean annual threshold is no longer met. This designation runs parallel to an Urban Conservancy designation for shorelands adjacent to Jenkins Creek that meet the designation criteria.

13.3.3 Shoreline Residential

The Shoreline Residential environment designation is designed to provide for residential needs where the necessary facilities for development can be provided. An additional purpose is to provide appropriate public access and recreational uses.

Designation criteria: assign a Shoreline Residential environment designation to shoreline areas if they are predominantly single-family or multifamily residential development or are planned and platted for residential development.

Designated areas: Shoreline Residential areas in Covington include those areas adjacent to Pipe Lake that are currently developed as single family or appurtenances, where that use is anticipated to continue in the future. Specifically, the Shoreline Residential

environment includes all Pipe Lake shorelands with Covington City limits, with the exception of the Camp McCullough property.

13.3.4 Urban Conservancy

The purpose of the High-Intensity environment designation is to provide for high-intensity water-oriented and non-water oriented commercial, transportation, and industrial uses while protecting existing ecological functions and restoring ecological functions in areas that have been previously degraded.

The purpose of the Urban Conservancy environment designation is to protect and restore ecological functions of open space, flood plain and other sensitive lands where they exist in urban and developed settings, while allowing a variety of compatible uses.

Designation criteria: areas designated Urban Conservancy are those areas where one or more of the following characteristics apply:

1. They are suitable for water-related or water-enjoyment uses;
2. They are open space, flood plain, stream buffer or other sensitive areas that should not be more intensively developed;
3. They have potential for ecological restoration;
4. They retain important ecological functions, even though partially developed; or
5. They have the potential for development that is compatible with ecological restoration.

Designated areas: Urban Conservancy areas includes all shorelands adjacent to Big Soos Creek and shorelands adjacent to Jenkins Creek upstream or eastern edge of the Covington Way SE bridge right-of-way and at Pipe Lake on the Camp McCullough property where open space, stream buffers and other sensitive lands exist as shown in Figure 1.

Please note: where the Urban Conservancy designation exists along Jenkins Creek, a “parallel designation” of Medium-Intensity is located in upland areas beyond the 115 foot stream buffer.

13.3.5 Aquatic

The purpose of the Aquatic environment designation is to protect, restore, and manage the unique characteristics and resources of the areas waterward of the ordinary high- water mark.

Designation criteria: assign an Aquatic environment designation to all areas waterward of the ordinary high-water mark.

Designated areas: Aquatic areas include all areas waterward of the ordinary high-water mark as shown in Figure 13.1.

13.3 Shoreline Master Program Goals and Policies

The following section contains key goals and policies from the Shoreline Master Program. This is an abbreviated list; please see the full text of goals, policies, environment designations and regulations in the complete Shoreline Master Program, which are hereby incorporated by reference.

13.3.1 Shoreline Use and Modifications

SMPG 1.0 The application of master program policies and regulations to all uses and related modifications shall assure no net loss of ecological functions necessary to sustain shoreline natural resources within the Covington SMA.

SMPP 1.1 All development and redevelopment activities within the City's shoreline jurisdiction should be designed to ensure public safety, enhance public access, protect existing shoreline and water views and achieve no net loss of shoreline ecological functions.

SMPP 1.2 Water oriented uses shall be given preference over non-water oriented uses.

SMPP 1.3 New residential development should be designed to protect existing shoreline water views, promote public safety, and avoid adverse impacts to shoreline habitats.

SMPP 1.4 Recognizing the single purpose, irreversible and space consumptive nature of shoreline residential development, new development

should provide adequate setbacks and natural buffers from the water and ample open space among structures to protect natural features, preserve views and minimize use conflict.

SMPP 1.5 Proposed economic use of the shoreline should be consistent with Covington's Comprehensive Plan. Conversely, upland uses on adjacent lands outside of immediate SMA jurisdiction (in accordance with RCW 90.58.340) should be consistent with the purpose and intent of this master program as they affect the shoreline.

SMPP 1.6 Road and bridge construction or expansion in the shoreline jurisdiction should be avoided, unless necessary to serve a permitted shoreline use or found to be within the public interest.

SMPP 1.7 New stream crossings associated with transportation should be minimized. Where necessary culverts or bridges should be designed to provide for stream functions such as fish passage and accommodate the flow of water, sediment and woody debris during storm events.

SMPP 1.8 New primary utilities are discouraged in the SMA jurisdiction and should utilize existing transportation and utility sites, rights-of-way and corridors whenever possible, rather than creating new corridors. Joint use of rights of- way and corridors should be encouraged.

SMPP 1.9 Low Impact Development (LID) and "Green Building" practices, such as those promulgated under the Leadership in Energy and Environmental Design (LEED) and Green Built programs should be encouraged and in some cases required for new development within the shoreline jurisdiction.

SMPP 1.10 Shoreline stabilization should be permitted only when it has been demonstrated that shoreline stabilization is necessary for the protection of existing legally established structures and public improvements, and that there are no other feasible options to the proposed shoreline stabilization that have less impact on the shoreline environment.

SMPP 1.11 New piers and docks should be restricted to the minimum size necessary and permitted only when the applicant has demonstrated that a specific need exists to support the intended water-dependent use.

13.3.2 Shoreline Conservation

SMPG 2.0 Preserve, protect, and restore to the greatest extent feasible the natural resources of the shoreline, including but not limited to scenic vistas, aesthetics, and vital riparian areas for wildlife protection.

SMPP 2.1 Protect shoreline process and ecological functions through regulatory and non-regulatory means that may include acquisition of key properties, conservation easements, regulation of development within the shoreline jurisdiction, and incentives to encourage ecologically sound design.

SMPP 2.2 Reclaim and restore areas which are biologically and aesthetically degraded to the greatest extent feasible while maintaining appropriate use of the shoreline.

SMPP 2.3 Preserve and enhance vegetation along shorelines to protect and restore the ecological functions and ecosystem-wide processes performed by upland and aquatic vegetation. Native plant communities within the shoreline environment should be protected and maintained. All clearing and grading activities should be designed and conducted to avoid and minimize impacts to

wildlife habitat; sedimentation of creeks, streams, ponds, lakes, wetlands and other water bodies; soil hydrology and water quality

SMPP 2.4 All shoreline uses and activities should be located, designed, constructed and maintained to minimize adverse impacts to water quality and fish and wildlife resources including spawning, nesting, rearing, and feeding areas and migratory routes.

SMPP 2.5 Identify, protect, preserve and restore important archaeological, historical and cultural sites located in shoreline jurisdiction of Covington for their educational and scientific value, as well as for the recreational enjoyment of the general public.

13.3.3 Public Access and Recreation

SMPG 3.0 Increase the amount and diversity of public access to the shoreline, and preserve and enhance views of the shoreline, consistent with the natural shoreline character, private rights and public safety.

SMPP 3.1 Ensure new public access does not adversely affect the integrity and character of the shoreline, or threaten fragile shoreline ecosystems by locating new access points on the least sensitive portion of the site and providing mitigation so there is no net loss of shoreline function.

SMPP 3.2 Public access provisions should be required for all shoreline development and uses, except for water dependent uses, existing single family dwellings, and new individual single family residences not part of a development planned for more than four parcels.

SMPP 3.3 Recreational facilities in the shoreline jurisdiction should emphasize water-oriented uses.

SMPP 3.4 Public access provisions should be required for all shoreline development and uses, except for water dependent uses and individual single family residences not part of a development planned for more than four parcels.

SMPP 3.5 Camp McCullough represents a particularly important public access opportunity given its location on Pipe Lake, the current use as a private recreation facility, and the high ecological functions of the site. Ensure continued recreational use of the property and consider possible future public access through an agreement, easement, or acquisition in the event of future development and conversion to a non-recreational use.

SMPP 3.6 Provide and enhance shoreline access to Jenkins Creek and Big Soos Creek through fee simple acquisition, easements, signage of public access points, and designation and design of specific shoreline access areas for wildlife viewing.

Figure 13.1. Shoreline Environment Designations Map

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