City of Bellingham's Shoreline Master Program Update

An Introduction

Cities are required to update their SMPs every eight years

In 2013 the City completed its comprehensive amendment to its SMP

In 2020 the Department of Ecology provided a grant to the City to perform its required SMP update during 2021.

The City's SMP update will include:

- Incorporation of changes in state laws;
- Revisions to goals and policies;
- Clarification of existing regulations;
- Revisions to certain regulations; and
- Updating the Restoration Plan

The SMP update does not intend to:

- Increase buffer widths;
- Add new standards for “no net loss”; or
- Require nonconforming structures to be removed from buffer areas

State law does not require us to:

Perform a new shoreline inventory;

Re-do our cumulative impacts analysis;

“SMP 101”

Shorelines, aka "Shorelines of the State"

What are they?

Where are they?

How did they become shorelines?

Why do we care about them?

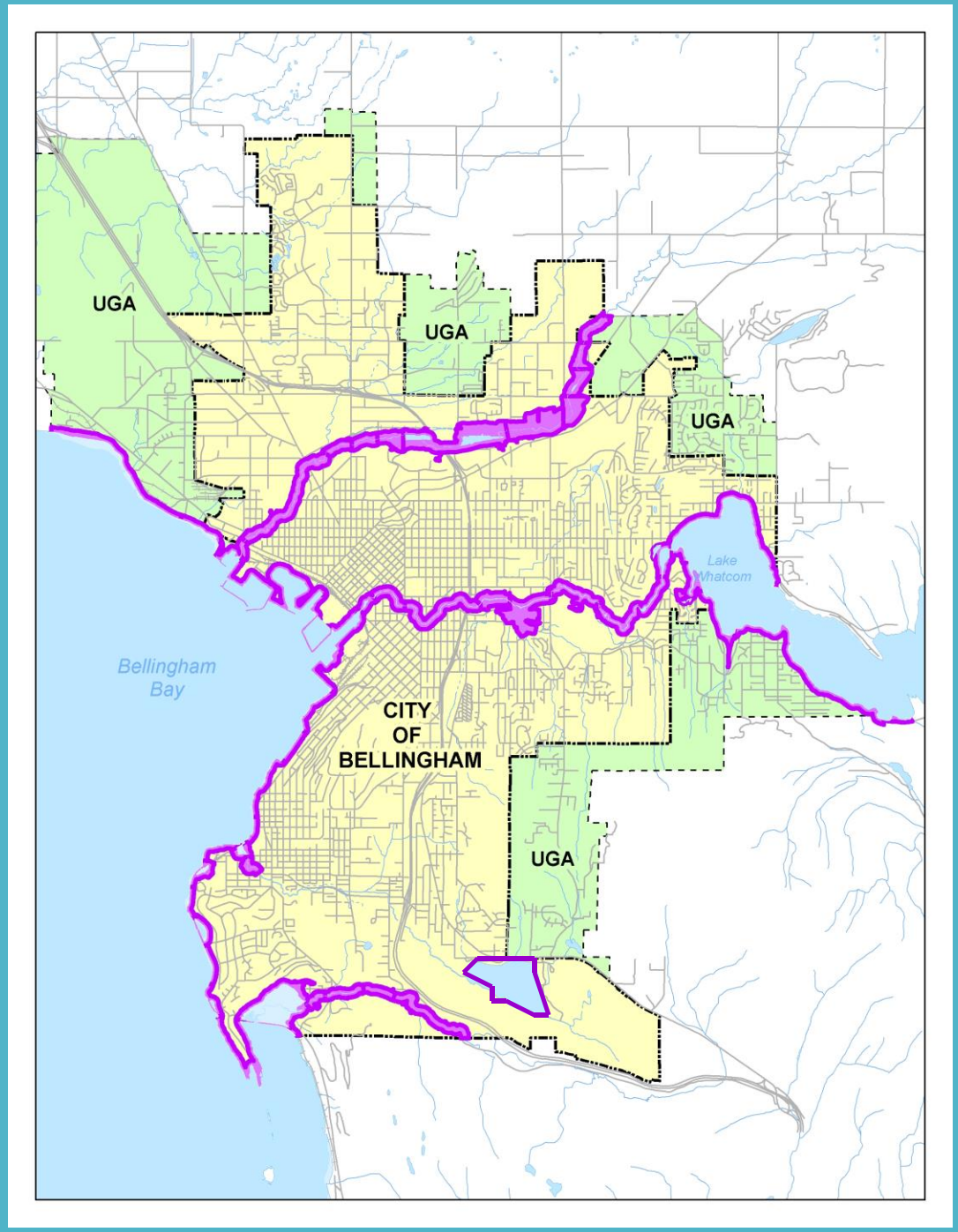
What are "Shorelines of the State"

Designated by state law:

- Marine water-bodies
- Creeks with higher flows;
- Lakes greater than 20 acres; or
- Areas associated with the above floodplains and wetlands; AND
- 200-feet of adjoining uplands

COLLECTIVELY: "Shorelines"

Where are they in Bellingham?



“SMP 101”

“SMP 101”

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“SMP 101”

3600
815
903
909
917
925
1007
1025
3423
Sunset Pond
Park (water)

How did “shorelines” come to be?

Shoreline Protection Act initiative in 1970

State Legislature enacted the Shoreline Management Act in 1971 as RCW 90.58

The SMA was confirmed by referendum in 1972

Implemented by WAC 173-27

Why do we care about shorelines?

RCW 90.58: "…shorelines of the state are among the most valuable and fragile of its natural resources and that there is great concern throughout the state relating to their utilization, protection, restoration and preservation."

Why do we care about shorelines?

RCW 90.58: “Permitted uses in the shorelines of the state shall be designed and conducted in a manner to minimize, insofar as practical, any resultant damage to the ecology and environment of the shoreline area and interference with the public’s use of the water.”

SMP = SMA

The City's SMP is the 'local' version of the SMA which:

Protects ecological function;

Promotes public access; and

Preserves areas for navigation and water-borne commerce

SMP =

Comprehensive Plan

Goals, Objectives and Management Policies

Zoning Code

Allowed Uses and Use Regulations

Critical Areas Ordinance

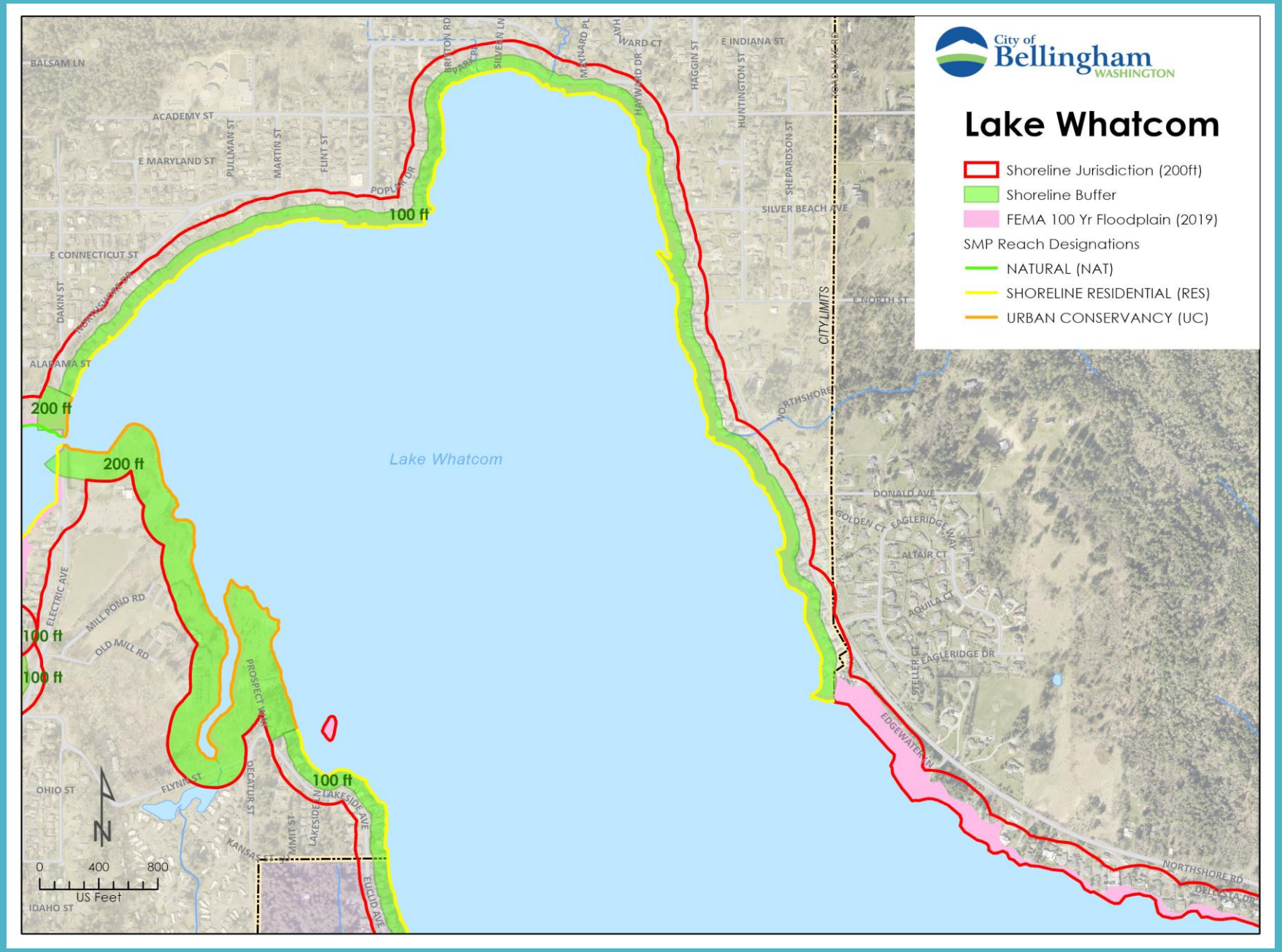
Protection and Mitigation

SMP Dialect

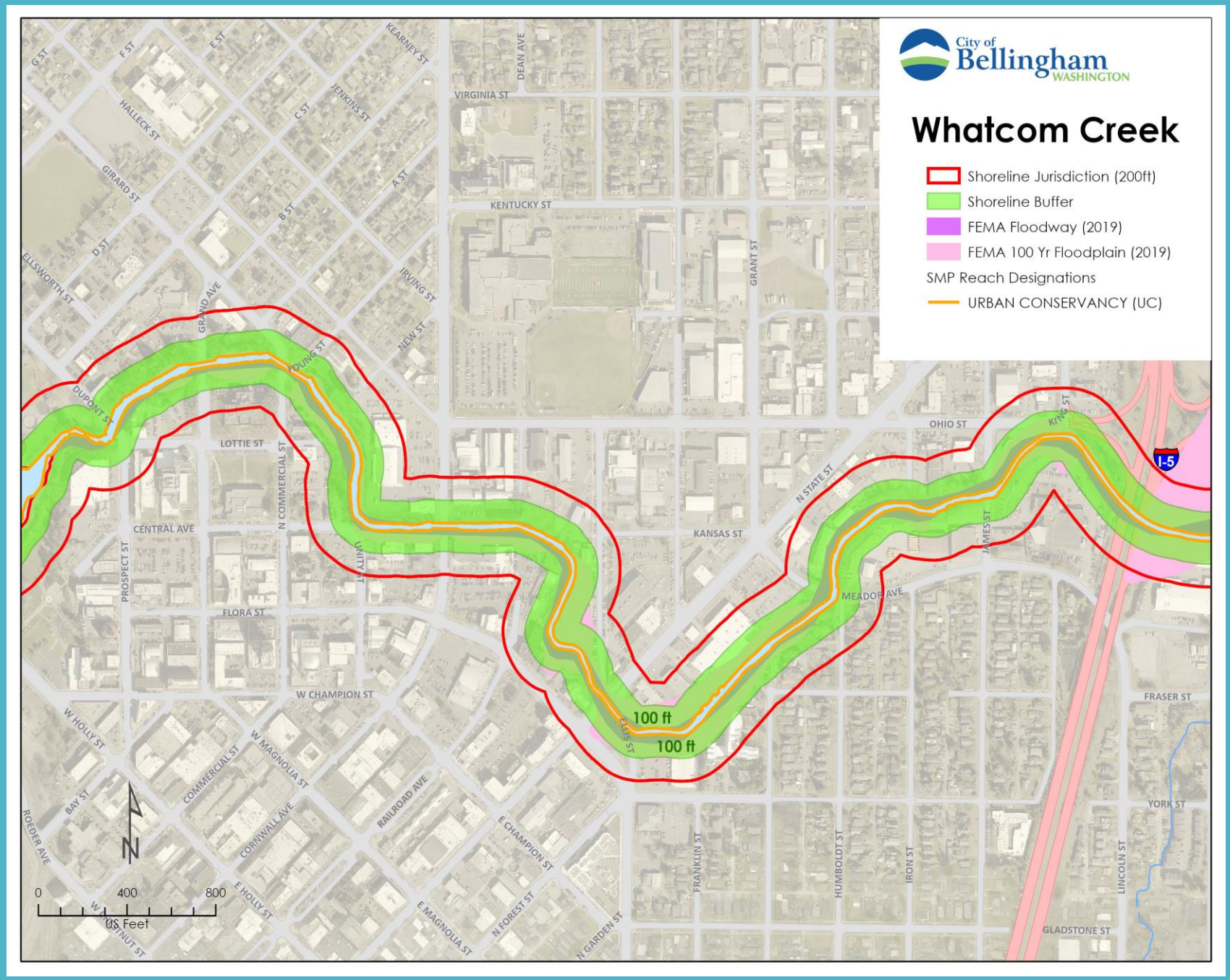
JURISDICTION: The aquatic and land areas where the SMP is applied.

BUFFER: Areas within the jurisdiction that are to be protected.

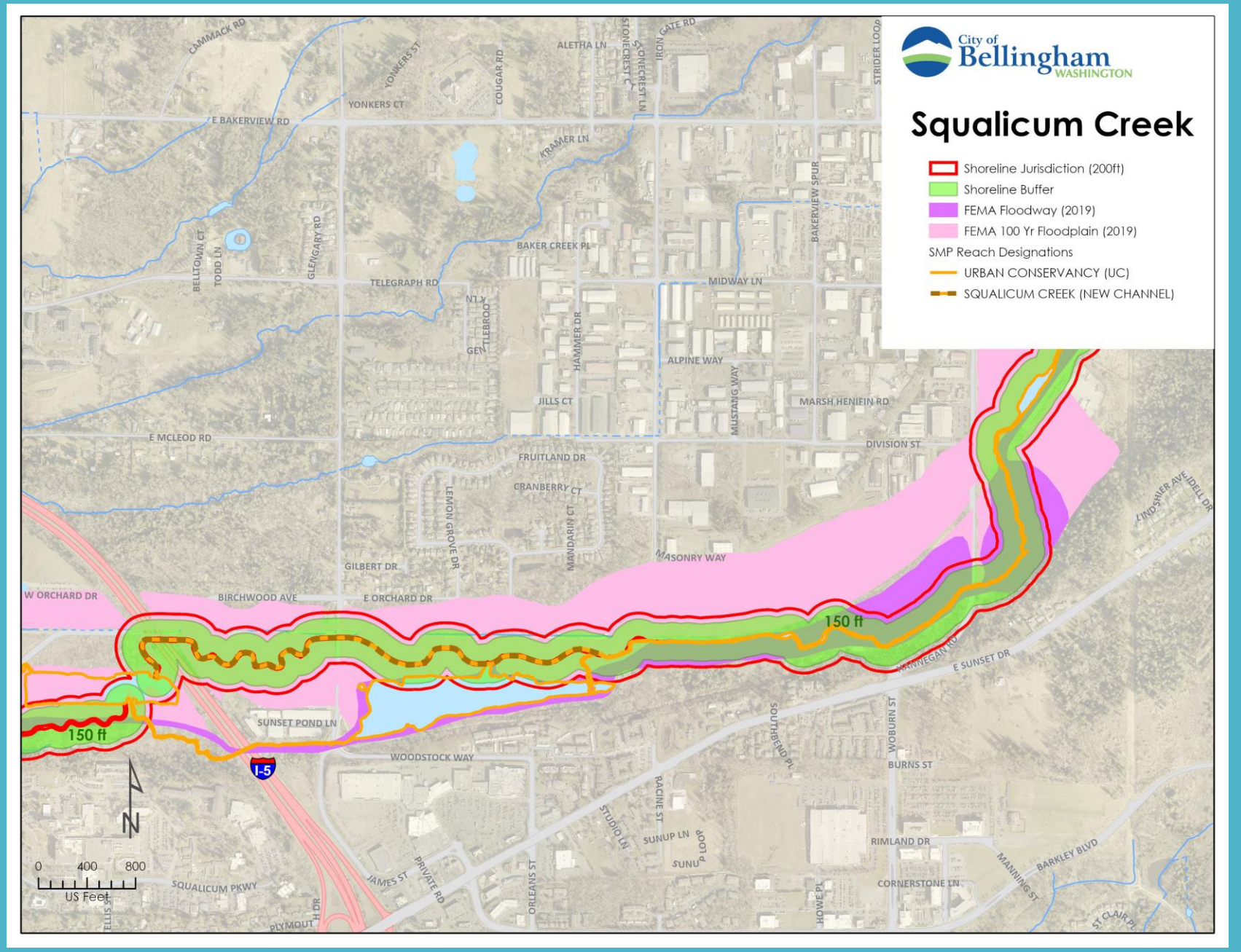
For Example


City of Bellingham WASHINGTON
Lake Whatcom
Shoreline Jurisdiction (200ft)
Shoreline Buffer
FEMA 100 Yr Floodplain (2019)
SMP Reach Designations
NATURAL (NAT)
SHORELINE RESIDENTIAL (RES)
URBAN CONSERVANCY (UC)
Lake Whatcom
100 ft
200 ft
CITY LIMITS
BALSAM LN
ACADEMY ST
E MARYLAND ST
E CONNECTICUT ST
ALABAMA ST
OHIO ST
IDAHO ST
E INDIANA ST
SILVER BEACH AVE
E NORTH ST
NORTHSHORE
DONALD AVE
EAGLERIDGE DR
NORTHSHORE RD
MILL POND RD
OLD MILL RD
ELECTRIC AVE
PROSPECT WAY
DECATUR ST
LAKESIDE AVE
EUCLID AVE
KANSAS ST
FLYNN ST
EDGEWATER LN
0 400 800
US Feet

For Example


City of Bellingham WASHINGTON
Whatcom Creek
Shoreline Jurisdiction (200ft)
Shoreline Buffer
FEMA Floodway (2019)
FEMA 100 Yr Floodplain (2019)
SMP Reach Designations
URBAN CONSERVANCY (UC)
100 ft
100 ft
0
400
800
US Feet
N
VIRGINIA ST
KENTUCKY ST
DEAN AVE
GRANT ST
KEARNEY ST
JENKINS ST
HALLECK ST
GIRARD ST
ELLSWORTH ST
IRVING ST
NEW ST
GRAND AVE
YOUNG ST
DUPONT ST
LOTTIE ST
N COMMERCIAL ST
CENTRAL AVE
PROSPECT ST
FLORA ST
W CHAMPION ST
KANSAS ST
N STATE ST
OHIO ST
KING ST
JAMES ST
MEADOW AVE
I-5
FRASER ST
YORK ST
GLADSTONE ST
LINCOLN ST
IRON ST
HUMBOLDT ST
FRANKLIN ST
W HOLLY ST
W MAGNOLIA ST
COMMERCIAL ST
BAY ST
ROEDER AVE
CORNWALL AVE
RAILROAD AVE
E CHAMPION ST
E HOLLY ST
E MAGNOLIA ST
N FOREST ST
N GARDEN ST
W WALNUT ST

For Example


City of Bellingham
WASHINGTON
Squalicum Creek
Shoreline Jurisdiction (200ft)
Shoreline Buffer
FEMA Floodway (2019)
FEMA 100 Yr Floodplain (2019)
SMP Reach Designations
URBAN CONSERVANCY (UC)
SQUALICUM CREEK (NEW CHANNEL)
150 ft
150 ft
0 400 800
US Feet
CAMMACK RD
E BAKERVIEW RD
YONKERS CT
ALETHA LN
KRAMER LN
BAKER CREEK PL
TELEGRAPH RD
MIDWAY LN
ALPINE WAY
JILLS CT
MARSH HENIFIN RD
DIVISION ST
E MCLEOD RD
FRUITLAND DR
CRANBERRY CT
GILBERT DR
MASONRY WAY
W ORCHARD DR
BIRCHWOOD AVE
E ORCHARD DR
E SUNSET DR
SUNSET POND LN
WOODSTOCK WAY
I-5
SQUALICUM PKWY
BURNS ST
RIMLAND DR
CORNERSTONE LN
BARKLEY BLVD
MANNING ST
ST CLAIR PL

SMP Dialect "USES"

Non-water-oriented: Uses that do not depend on or relate to shorelines: gas stations, multi-family residential, offices, most retail uses.

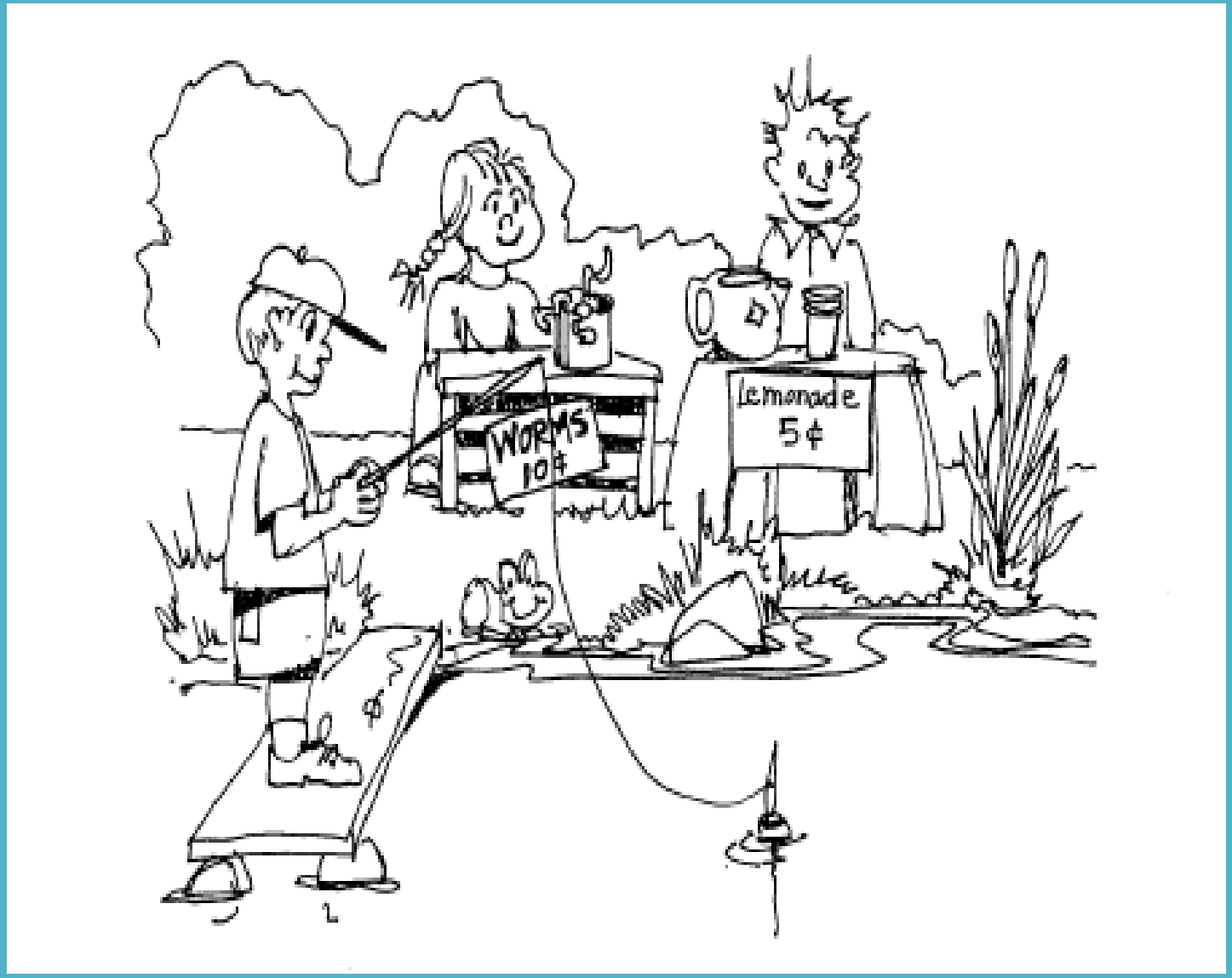
Water-dependent: Must be on the shoreline: Marina, boat launch, shipping terminal.

Water-related: located near shorelines: Boat repair, cold storage, marine retail.

Water-enjoyment: Attracts large numbers of citizens: Beach / park / trail / over-water pier or wharf, restaurant / coffee shop.

Water-oriented: collectively water-dependent, related and enjoyment.

SMP Dialect “USES”



SMP Dialect

No net loss of existing shoreline ecological function

Mitigation vs. Restoration

Nonconformity

SMP Organization

11 Chapters in the SMP

Chapters we won't cover today:

.01 "Authority and Purpose"

.04 "Shorelines of Statewide Significance"

.06 "Shoreline Permits"

No intended revisions to these chapters

SMP Chapter .02

Goals and Policies Chapter:

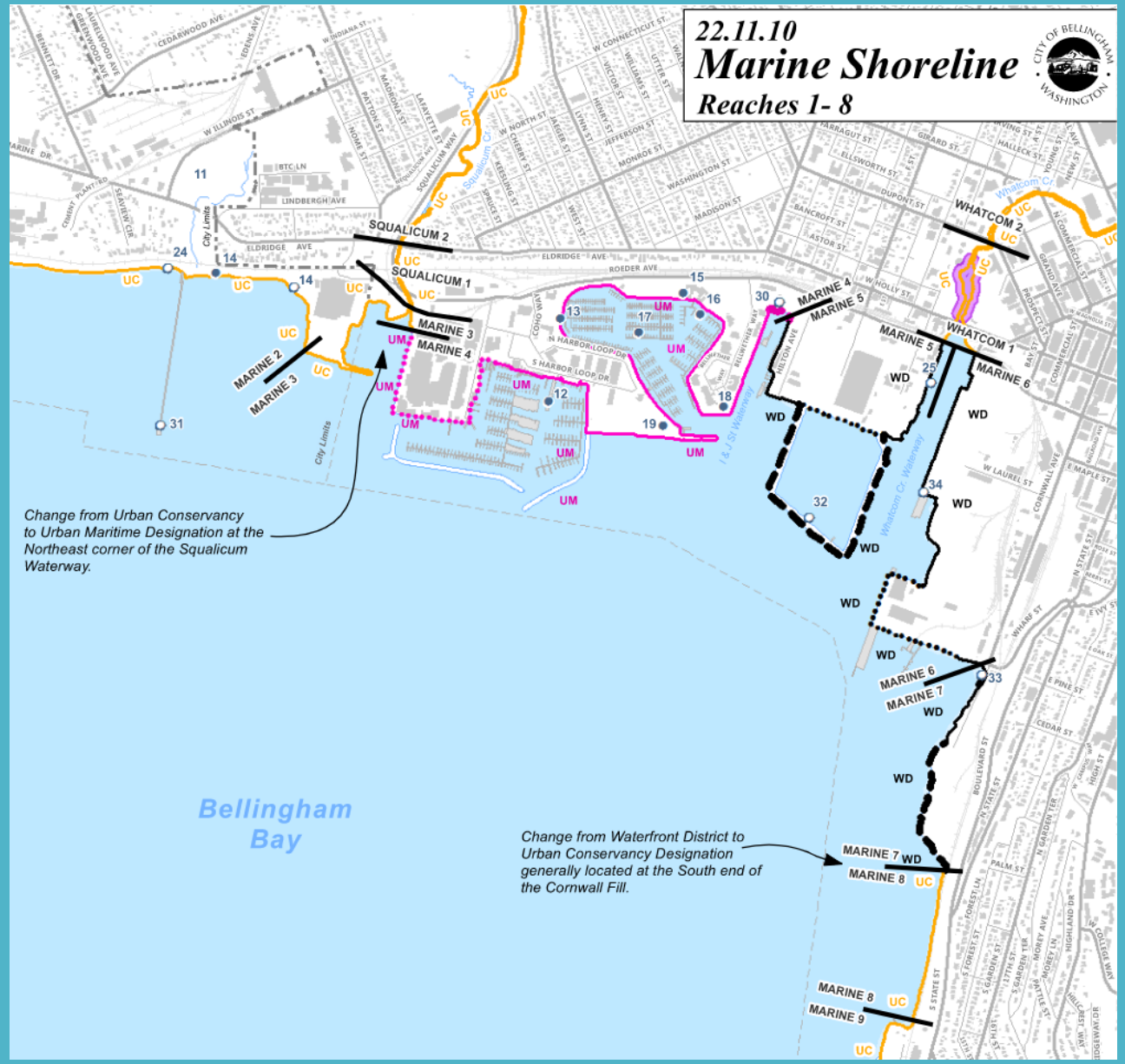
Uses
Economic Development
Public Access
Restoration and Conservation
Water Quality
Flood Damage Minimization

SMP Chapter .03

Shoreline Designations:

Natural
Urban Conservancy
Shoreline Residential
Aquatic
Urban Maritime
Waterfront District

“Zoning” for Shorelines



SMP Chapter .03

Allowed uses and regulations:

Shoreline Residential – BMC 22.03.030(C)(8)

Use and Modification Table As further limited by zoning	Aquaculture	Boating Facilities	Dredging and Disposal	Industrial Development	In-Water Structures	Piers, Floats, Pilings – Lake Whatcom	Landfill	Recreational Development	Residential Development	Restoration and Conservation	Roads, Railways, and Utilities	Stormwater Management Facilities
Lake Whatcom 2 – 3 and 6 – 7	c	x	c/x	x	x[1]	p	x	p/x	p	p	p	p

SMP
Chapter .05

Mechanics of the SMP:

Applicability
Exemptions
Relationship w other rules
Nonconformity

SMP Chapter .08

General Regulations:

- Buffers and mitigation sequencing
- Critical areas
- Update wetland rating system
- Public access
- Native vegetation management
- Shoreline modification & stabilization
- Parking, signage and lighting

Critical Areas in Shorelines

Critical Areas:

- Wetlands
- Frequently Flooded Areas
- Geologic Hazard Areas
- Fish and Wildlife Habitat Conservation Areas (HCAs)

Critical Areas in shoreline jurisdiction are regulated by the SMP

SMP Chapter .09

Use Regulations:

Boating facilities

Commercial and industrial uses

Over and in-water structures

Recreational and residential uses

Restoration and conservation

Roads and utilities

SMP Chapters .10 and .11

Definitions

Maps and Development Regulations

Shorelands and Boating Facilities

Floodplains

Additional height in certain areas

Restoration Plan

Three goals:

Improve water quality;

Re-establish and restore shoreline processes

Improve connectivity of shoreline environments to other habitat corridors and blocks

Restoration Plan

Required for SMPs

Intended to be a resource for Restoration Planning

Is not a regulatory document

We do implement elements of it as conditions in shoreline permits

Shoreline Permitting Implements the SMP

Application and habitat reports;

Staff reviews for compliance;

Include mitigating conditions = no net loss of shoreline ecological function; and

Presents to Shoreline Committee or Director for approval

Next Steps

Work Session: Review public input and the narrative of draft revisions with the Planning Commission;

Release draft of revisions for public and Planning Commission review;

Future work sessions and public hearing: Take public testimony on proposed revisions; then

Prepare draft ordinance for Planning Commission recommendation