

Section 1. The Seattle Comprehensive Plan, last amended by Ordinance 123854, is amended as follows:

#### **C-4 Shorelines**

##### **discussion**

In conformance with the goals of the State Shoreline Management Act, the Seattle Shoreline Master Program accommodates a variety of functions and activities unique to the shoreline district((areas)), especially water-dependent businesses and shoreline recreation activities, and protects and enhances public access, natural areas, ecological functions and views of the water. Policies in this section guide management of Seattle's shorelines and describe the purposes of the shore line environments. Together with the Seattle Shoreline Master Program Regulations in the Land Use Code, including the maps of the Shoreline District showing the locations of shoreline environments, and Shoreline Restoration and Enhancement Plan, these policies constitute the Seattle Shoreline Master Program. ((Management of Seattle's shorelines is guided by the Area Objectives for Seattle's shorelines as established in these policies, and the purpose of the shoreline environments, the shoreline environment designations and the use regulations and development standards established in the Land Use Code. All these elements combined constitute the Seattle Shoreline Master Program.))

##### **shoreline use ((goals))**

**LUG39 Encourage((Establish))** shoreline uses that result in long-term over short-term benefit.

**LUG40 Define appropriate uses for specific ((Plan for and encourage the integration and location of compatible uses within))** segments of the shoreline.

**LUG41** Locate ((all non))uses that are not water dependent or water-related ((uses))on upland lots to optimize shoreline use and access.

((**LUG42** Provide a management system that will plan for and permit all reasonable and appropriate use through a system of priorities.))

**LUG42** Protect ecological function of those areas of shoreline that are biologically significant or that are geologically ((43 dangerous or)) fragile((, or biologically fragile)).

**LUG43** Restore and enhance ecological function through non-regulatory programs and policies.

((**shoreline use policies**))

**LU231** ((**Permit**)) Allow only those uses, developments, and shoreline modifications((or conditions)) that retain options for future generations, unless identified benefits clearly outweigh the physical, social, environmental and((/or)) economic loss over a 20-year planning horizon.((to future generations since competition between uses for shoreline does not generally occur at one moment, but over a period of time. Water dependent uses generally shall have priority.)) Use p((P))reference will be given in the following order:

1. On waterfront lots:

((4))a. Uses that ((Protection and))protect or restore and enhance((ment of)) natural areas ((or systems:))and ecological processes and functions, particularly those areas or systems identified as containing or having unique geological, ecological or biological significance.

((2))b. Water-dependent uses((:)) -((all))~~are~~ uses that cannot exist in ((any)) other than a waterfront location and ((are))~~is~~ dependent on the water by reason of the intrinsic nature of ((their))~~its~~ operations. ((However, because of their historic role and legal recognition by the City, floating home moorage are designated as a water dependent use. Such designation does not imply support for increase of floating home moorage. The intent of this policy is to recognize the existing floating home community in Lake Union and Portage Bay, while protecting natural areas, preserving public access to the shoreline, and preventing the displacement of water dependent commercial and manufacturing uses by floating homes. Areas with substantial concentrations of existing floating homes shall be given a designation that preserves residential uses.

3. Non-water dependent uses: those uses that do not need a waterfront location to operate.))

c. "Water-related use" means a use or portion of a use not intrinsically dependent on a waterfront location but whose economic viability is dependent upon a location in the shoreline district because:

1) The use has a functional requirement for a waterfront location, such as the arrival or shipment materials by water (less than 50 percent of their product arrives by vessel), or the need for large quantities of water in the use; or

2) The storage of material that is transported by a vessel and is either loaded or off-loaded in the Shoreline District; or

3) The use provides a necessary service supportive of water-dependent uses and the proximity of the use to its customers makes its services less expensive and/or more convenient.

d. Water-enjoyment uses - those uses that facilitate public access to the shoreline as a primary characteristic of the use; or a use that provides for recreational use or aesthetic enjoyment of the shoreline for a substantial number of people as a general characteristic of the use and which, through location, design, and operation, ensures the

public's ability to enjoy the physical and aesthetic qualities of the shoreline. In order to qualify as a water-enjoyment use, the use must be open to the general public, and the shoreline-oriented space within the project must be devoted to the specific aspects of the use that fosters shoreline enjoyment.

e. Floating home uses existing as of January 2011, which are considered conforming preferred uses because of their historic role and legal recognition by the City. The intent of this policy is to recognize the existing floating home community in Lake Union and Portage Bay, while protecting natural areas, preserving public access to the shoreline, and preventing the displacement of water-dependent commercial and manufacturing uses by new floating homes. Applicable development and shoreline master program regulations may only impose reasonable conditions and mitigation that will not effectively preclude maintenance, repair, replacement, and remodeling of existing floating homes and floating home moorages by rendering these actions impracticable.

f. Single family residential uses are preferred uses where they are appropriately located and can be developed without significant impact to ecological functions or displacement of water-dependent uses.

g. Uses that are not water-dependent with regulated public access or with ecological restoration and enhancement.

h. Uses that are not water-dependent, water-related or water-enjoyment as defined above, without regulated public access or ecological restoration and enhancement.

2. On upland lots: Preferred uses are those that complement uses on adjacent waterfront lots.

3. The preference for protection of the ecological conditions of the shoreline shall be accomplished by prohibiting uses that would negatively impact natural areas.

by providing mitigation for negative impacts caused by the use and by providing restoration and enhancement of natural areas where they are degraded.

4. Preferred uses will vary according to the purpose of the shoreline environment.

a. Where the purpose of the environment is to encourage water-dependent and water-related uses, these uses shall be preferred by prohibiting and/or restricting the number of uses that are not water-dependent or water-related allowed on waterfront lots.

b. Where the purpose of the environment is to provide public access, these uses shall be preferred by permitting uses that provide public access.

c. Where the purpose of the environment is to protect ecological processes and functions, protection of ecological processes and functions shall be preferred by permitting uses that achieve this purpose.

**LU232 ((Define in))**In the Land Use Code, identify ((all))appropriate shoreline uses((,)) and related standards, and provide site development ((performance))standards and other appropriate criteria indicating minimal acceptable standards to be achieved.

((Uses shall be preferred in the following order:

1. On waterfront lots:

a. Protection and Enhancement. Uses that provide for protection and enhancement of natural areas or systems.

b. Water dependent uses. Uses that are dependent on the water by the intrinsic nature of their operation.

c. Water related uses. Uses that are not intrinsically dependent on a waterfront location but whose operation cannot occur economically without use of the water adjacent to the site.

~~d. Non water dependent uses with regulated public access. Uses that are neither water dependent nor water related because they do not use the water, although a waterfront location may increase their profitability. Such uses provide a public benefit because they provide an opportunity for substantial numbers of the people to enjoy the shorelines of the City.~~

~~e. Non water dependent uses without regulated public access.~~

~~2. On upland lots: Preferred uses are those that complement uses on adjacent waterfront lots.~~

~~3. The preference for natural areas shall be accomplished by prohibiting uses that would disrupt natural areas or by providing enhancement of such areas where necessary.~~

~~4. Preferred uses will vary according to the purpose of the environment:~~

~~a. If the purpose of the environment is to encourage water dependent and water related uses, these uses shall be preferred by prohibiting and/or restricting non water dependent uses on waterfront lots.~~

~~b. If the purpose of the environment is to provide public access, providing public access shall be preferred by permitting non water dependent uses and requiring public access.~~

~~5. The determination that a shoreline area is suitable for a particular water-dependent use shall be made by comparing the area's physical characteristics and existing land use patterns to the rezone requirements of water dependent uses.~~

**LU233** Identify those areas of shorelines that are geologically or biologically dangerous or fragile and regulate development to prevent damage to property or organisms and the general public.

**LU234** Encourage the development of support industries and services on upland lots by permitting a wider range of uses and more flexible development standards than

~~waterfront lots, and avoiding potential incompatibility with water-dependent uses on waterfront lots.)~~

**LU235 Allow live-aboards on vessels in moorage areas and provide standards that mitigate the impacts of live-aboard uses on the shoreline environment.**

**LU236 Allow a wider range of uses on upland lots than on waterfront lots in order to support water-dependent and water-related uses on waterfront lots, while avoiding potential incompatibility with those uses.**

#### **shoreline access ((goals))**

**LUG44 Maximize ((Provide for the optimum amount of)) public access — both physical and visual — to the Seattle's shorelines.((of Seattle.))**

**LUG45** Preserve and enhance views of the shoreline and water from upland areas, where appropriate.

#### **((shoreline access policies))**

**LU237((235 Increase-))Enable opportunities for substantial numbers of people to enjoy the shorelines((;)) by requiring access to public property located on the water and by ((permitting non)) allowing uses that are not water-dependent to locate on waterfront lots ((uses))when those uses provide((ing)) additional public access to the shoreline and are located in waterfront areas less suited for water-dependent uses.((, and by requiring public access on public property)).**

**LU~~238~~(236)**) Promote public enjoyment of the shorelines through public access standards that((by requiring))require improvements ((that are))to be safe, well designed, and ((offer))with adequate access to the water.

~~((LU237 Except for single family residences, maintain standards and criteria for public access and private use of publicly owned or controlled shorelines to achieve the following:~~

- ~~1. Provide linkages between shoreline public facilities via trails, paths, etc., to connect with terminal boating and other recreational facilities.~~
- ~~2. Indicate by use of signs and graphics all publicly owned or controlled shoreline.~~
- ~~3. If appropriate, offer bonuses for the provision of public access in private property.~~
- ~~4. Require public agencies such as the City, Port of Seattle, and King County Metro, etc., to provide public access opportunities at new shorelines facilities and encourage these agencies to provide similar opportunities in existing facilities.~~
- ~~5. Provide standards and criteria for view and visual access from upland and shoreline areas.~~
- ~~6. Give priority to the operating requirements of the water dependent and water related uses over preservation of views in those environments where water dependent uses are encouraged.~~
- ~~7. Limit off premise signs and regulate other signs to enhance and protect views.~~

**LU238** Waterways in Lake Union and Portage Bay are for public navigation access and commerce and, in general, the City shall not request that the designation be removed from waterways. The City may request that waterways be vacated only when the city

~~reclaims the area as street right of way or for public park purposes. The City may request that the dry land portion of a waterway be redesignated for the additional purpose of providing permanent public access improvements.)~~

**LU239 Encourage adopt-a-beach and other programs that promote voluntary maintenance of public access areas in the Shoreline District.**

**LU240 Maintain standards and criteria for providing public access except for lots developed for single-family residences to achieve the following:**

- 1. linkages between shoreline public facilities via trails, paths, etc., that connect boating and other recreational facilities.**
- 2. visible signage at all publicly owned or controlled shoreline and all required public access on private property.**
- 3. development of bonuses or incentives for the development of public access on private property, if appropriate.**
- 4. provision of public access opportunities by public agencies such as the City, Port of Seattle, King County and the State at new shoreline facilities and encourage these agencies to provide similar opportunities in existing facilities.**
- 5. view and visual access from upland and waterfront lots.**
- 6. encouragement of priority for operating requirements of water-dependent uses over preservation of views in those environments where water-dependent uses.**
- 7. protection and enhancement of views by limiting view blockage caused by off-premise signs and other signs.**

**LU241 Waterways, which are public highway for watercraft providing access from land to water and from water to land platted by the Washington State Harbor Line Commission for the convenience of commerce and navigation, in Lake Union and**

Portage Bay are for public navigation access and commerce, and in general, the City shall not request that the designation be removed from waterways. Request that waterways be vacated only when the City reclaims the area as street right-of-way or for public park purposes. The City may request that the dry land portion of a waterway be redesignated for the additional purpose of providing permanent public access improvements.

**LU242** Shorelines street ends are a valuable resource for public use access and shoreline restoration. Design public or private use or development of street ends to enhance, rather than reduce, public access and to restore the ecological conditions of the shoreline.

transportation in the shoreline.

((**transportation goals**))

**LUG46** Provide a transportation network that supports and enhances use of and access to the shorelines. ((Develop a transportation network that supports and enhances use of and access to the shorelines))

**LUG47** Relocate or demolish transportation facilities that are functionally or aesthetically disruptive to the shoreline, such as the aerial portion of the Alaskan Way Viaduct on the Central Waterfront between King Street and Union Street.

((**shoreline transportation policies**))

**LU243(239)** Encourage the transport of materials and cargo in the Shoreline District via modes having the least environmental impact.

~~((LU240 Encourage the maintenance and future development of inter-modal commuter ferry services, complementary to other public transportation systems, from both intracity locations and regional activity centers.~~

**LU241**

- ~~1. Streets, highways, freeways and railroads should be located away from the shoreline in order to maximize the area of waterfront lots and minimize the area of upland lots. Streets, highways, freeways and railroads not needed for access to shoreline lots shall be discouraged in the Shoreline District. A replacement for the State Route 99 Viaduct (only for seawall reconstruction and either a tunnel with a surface roadway or a surface roadway) may be located in the Shoreline District because it represents a critical link in the transportation network.~~
- ~~2. To facilitate expeditious construction in an environmentally and fiscally responsible manner, standards for major state and regional transportation projects should be considered that will allow flexibility in construction staging, utility relocation, and construction related mitigation and uses, provided that the projects result in no net loss of ecological function.~~
- ~~3. Prohibit aerial transportation structures over 35 feet high, such as bridges and viaducts, on the Central Waterfront in the Shoreline Environments between King Street and Union Street, except for aerial pedestrian walkways associated with Colman Dock, in order to facilitate the revitalization of downtown's waterfront, provide opportunities for public access to the Central Waterfront shoreline, and preserve views of Elliott Bay and the land forms beyond.~~

~~LU242 The primary purpose of waterways in Lake Union and Portage Bay is to facilitate navigation and commerce by providing navigational access to adjacent properties, access to the land for the loading and unloading of watercraft, and temporary moorage. The~~

~~importance of waterways in providing public access from dry land to the water is also recognized.~~

**LU243** ~~Public access shall be the preferred use for recaptured rights of way. Public rights of way may be used or developed for uses other than public access, provided that such uses are determined by the City to be in the public interest, and that public access of substantial quality and at least comparable to the right of way is provided.~~

**LU244** ~~Shorelines street ends are a valuable resource for public use and access. Public or private use or development of street ends shall be designed to enhance rather than reduce public access.~~

**LU245** ~~Provide public transportation convenient to the shoreline.))~~

**LU244** ~~Encourage large vessels (cruise ships and cargo container ships) to connect to dock side electrical facilities or use other energy alternatives while in port, to reduce engine idling and exhaust emissions.~~

**LU245** ~~Discourage and reduce overtime, vehicle parking on waterfront lots in the Shoreline.~~

**LU246** ~~Encourage the maintenance and future development of inter-modal commuter ferry services, to complement other public transportation systems, from both intra-city locations and elsewhere in the region.~~

**LU247** ~~Provide public transportation convenient to the shoreline.~~

**LU248.**

1. Locate streets, highways, freeways and railroads away from the shoreline in order to maximize the area of waterfront lots. Discourage streets, highways, freeways and railroads not needed for access to shoreline lots in the Shoreline District. A replacement for the State Route 99 Viaduct with a tunnel and/or a surface roadway may be located in the Shoreline District because it represents a critical link in the transportation network.

2. To facilitate expeditious construction in an environmentally and fiscally responsible manner, standards for major state and regional transportation projects should be considered that will allow flexibility in construction staging, utility relocation, and construction-related mitigation and uses, provided that the projects result in no net loss of ecological function.

3. Prohibit aerial transportation structures over 35 feet high, such as bridges and viaducts, on the Central Waterfront in the Shoreline Environments between King Street and Union Street, except for aerial pedestrian walkways associated with Colman Dock, in order to facilitate the revitalization of downtown's waterfront, provide opportunities for public access to the Central Waterfront shoreline, and preserve views of Elliott Bay and the land forms beyond.

**LU249** The primary purpose of waterways in Lake Union and Portage Bay is to facilitate navigation and commerce by providing water-borne access to adjacent properties, access to the land for the loading and unloading of watercraft, and temporary moorage. Waterways are also important for providing public access from dry land to the water.

**LU250** Public access shall be the preferred use for vacated rights-of-way. Public rights-of-way may be used or developed for uses other than public access, provided that such

uses are determined by the City to be in the public interest, and that public access of substantial quality and at least comparable to that available in the right-of-way is provided.

**((conservation goals))shoreline protection and restoration**

**LUG48** Require that no net loss of ecological functions occur as a result of uses, development, shoreline modifications, maintenance activities or expansion of existing uses, development or shoreline modifications.((Preserve, protect and restore areas such as those necessary for the support of wild and aquatic life or those identified as having geological or biological significance.))

**LUG49** Identify those areas of shorelines that are geologically or biologically unstable, fragile or significant and regulate development to prevent damage to property, general public, aquatic and terrestrial species, and shoreline ecological functions. ((Ensure that all future uses will preserve and protect environmental systems, including wild and aquatic life.))

**LUG50** Preserve, protect and restore areas necessary for the support of terrestrial and aquatic life or those identified as having geological or biological significance.((Ensure continuing scientific study of Seattle shoreline ecosystems.))

**LUG51** Use scientific information to guide shoreline protection, enhancement and restoration activities.

**LUG52** Address and minimize the impacts of sea level rise on the shoreline environment with strategies that also protect shoreline ecological functions, allow water-dependent uses and provide public access.

**LUG53** Encourage the establishment of marine protected areas, where appropriate.

**LUG55** Restore lower Duwamish watershed habitat and marine ecology while sustaining a healthy and diverse working waterfront in this urban industrial environment.

**LUG56** Strengthen the vitality of a functioning ecosystem within Watershed Resource Inventory Areas (WRIA) 8 and 9 by integrating development projects into their surrounding environments, by supporting a diversity of habitats, and by strengthening connections between habitats throughout each watershed.

((**conservation policies**))

((**LU246** Protect the natural environment through use and development standards governing shoreline activities including best management practices.

**LU247** Areas identified as special wildlife or fisheries habitat should be developed only if no reasonable alternative locations exist and then only if the project is designed to minimize and mitigate habitat damage.

**LU248** Require that all commercial, industrial or other high activity uses provide means for treating natural or artificial urban run-off to acceptable standards. Developments with industrial and commercial uses that use or process substances potentially harmful to

~~public health and/or aquatic life shall provide means to prevent, to the extent possible, point and non-point discharge of the harmful substances.~~

**LU249** Dredging and disposal of dredge materials shall be conducted in a manner that minimizes short and long term environmental damage.

**LU250** Permit landfill on submerged land that does not create dry land where necessary for a water dependent or water related use, for the replacement of the State Route 99 Viaduct (only for seawall reconstruction and either a tunnel with a surface roadway or a surface roadway), for the installation of a bridge or utility line, or for wildlife or fisheries habitat mitigation or enhancement. Permit landfill that creates dry land only where necessary for the operation of a water dependent or water related use, for the replacement of the State Route 99 Viaduct (only for seawall reconstruction and either a tunnel with a surface roadway or a surface roadway), to repair pocket erosion, or for wildlife habitat mitigation or enhancement. Large amounts of dry land may be created in Lake Union only if specifically approved by the Council for a public park purpose.

**LU251** Identify those areas that have potential for restoration to “natural” conditions, develop standards for the conditions in those areas, and provide incentives for achieving such standards.

**LU252** Support programs that inform the public about shoreline conservation practices, and identify methods by which public and private shoreline owners or community groups may encourage wild, aquatic and botanical life, and require such methods when appropriate.

~~LU253 Support the study of the shoreline systems that will provide a continuously updated baseline against which to judge the impact of any action.))~~

**LU251** Use mitigation sequencing ) to meet no net loss of ecological functions.

Mitigation sequencing refers to taking steps in this order: avoid, rectify, minimize and/or compensate for the loss to ecological functions.

**LU252** Protect the natural environment of the shoreline through development regulations that include a requirement to use best management practices to control impacts from construction and development activities.

**LU253** Regulate development on those areas of shorelines that are biologically significant or geologically fragile to prevent harm to property, organisms or the general public.

**LU254** Develop methods to measure both the impacts of development in the Shoreline District and the effects of mitigation so that no net loss of ecological function occurs through development projects.

**LU255** Monitor the benefits of mitigation techniques to determine which are best suited to meet the goal of no net loss of ecological function.

**LU256** Conserve existing shoreline vegetation and encourage new shoreline plantings with native plants, to protect habitat and other ecological functions, reduce the need for shoreline stabilization structures, and improve visual and aesthetic qualities of the shoreline.

**LU257** Avoid development in areas identified as special wildlife or priority saltwater or fresh water habitat unless no feasible alternative locations exist and the new development is designed to mitigate impacts.

**LU258** Protect environmentally critical areas as set out in the policies for environmentally critical areas and modified to reflect the special circumstances of such areas in the Shoreline District.

**LU259** Require that all commercial, industrial or other high intensity uses provide means for treating natural or artificial urban run-off to acceptable standards. Developments with industrial or commercial uses that use or process substances potentially harmful to public health and/or aquatic life shall provide means to prevent point and non-point discharge of those substances.

**LU260** Consider the Lower Duwamish Watershed Habitat Restoration Plan (Weiner, K.S and Clark, J.A. 1996); the Port of Seattle Lower Duwamish River Habitat Restoration Plan and the WRIA 8 Chinook Salmon Conservation Plan and implementation documents and WRIA 9 Salmon Habitat Plan and implementation documents when conducting planning, permitting, mitigation and restoration activities within the Duwamish/Green River and Cedar River watersheds.

**LU261** Allow dredging in the minimum amount necessary for water-dependent uses, environmental mitigation or enhancement, clean-up of contaminated materials, and installation of utilities and bridges.

**LU262** Allow fill on submerged land that does not create dry land only where necessary and in a manner that minimize short- and long-term environmental damage for the

operation of a water-dependent or water-related use, transportation projects of statewide significance, installation of a bridge or utility line, disposal of dredged material in accordance with the Dredged Material Management Program, beach nourishment or environmental mitigation or restoration and enhancement. Design projects to ensure no net loss of ecological function through mitigation sequencing.

**LU263** Permit landfill that creates dry land only where necessary for transportation projects of statewide significance, repair of pocket erosion for water dependent and water related uses, beach nourishment, or for environmental mitigation or restoration and enhancement. Construct fill projects in a manner that minimizes short and long-term environmental damage and design projects to ensure no net loss of ecological function through mitigation sequencing.

**LU264** Work with other government agencies and shoreline users to reduce the input of pollutants, restore contaminated areas, control disposal of dredge spoils, and to determine the appropriate mitigation for project impacts.

**LU265** Use a restoration plan to identify areas that have potential for shoreline habitat restoration. Identify restoration opportunities that will best achieve ecological improvement, describe the appropriate restoration activities for the conditions in those areas, and provide incentives for achieving restoration of the shorelines.

**LU266** Support programs that inform the public about shoreline conservation practices and identify methods by which public and private shoreline owners or community groups may encourage aquatic and terrestrial life, require such methods when appropriate, and provide incentives for such projects.

**LU267** Support the scientific study of the shoreline ecosystems that will provide information to help update baseline condition information; to monitor the impact of any action; and to guide protection, restoration and enhancement activities to meet the no net loss requirements and implement the restoration plan.

**LU268** Where applicable, new or expanded development and maintenance shall include environmental cleanup and restoration of the shoreline to comply with any relevant state and federal law.

#### **shoreline economic development ((goals))**

**LUG57((51))** Encourage economic activity and development ((of water-dependent uses)) by supporting the retention and expansion of existing water-dependent and water-related businesses on waterfront lots.((and planning for the creation of new developments in areas now dedicated to such use.

**LUG52** Allow a multi-use concept of development, provided that the major use is water-dependent and that it provides public access to the shoreline yet maintains the economic viability of the use.))

#### **((economic development policies))**

**LU269((254))** Concentrate industrial and commercial shoreline uses by supporting))Support the retention and expansion of existing conforming water-dependent and water-related businesses, and ((planning for))anticipate the creation of new water-dependent and water-related development((s)) in areas now dedicated to such use.

**LU~~270~~(255)**) Identify and designate appropriate land adjacent to deep water for industrial and commercial uses that require such condition((, such as industry or commerce)).

**LU~~271~~(256)**) Provide regulatory and non-regulatory incentives for property owners to include public amenities and ecological enhancement on private property.

**LU~~272~~((257 Citywide))**Identify and designate appropriate land for water-dependent business and industrial uses as follows: ((~~objectives for different types of water dependent businesses and industries:~~))

1. Cargo Handling Facilities:

a. Reserve space in deep water areas with adequate vessel maneuvering areas((~~backup space~~)) to permit the Port of Seattle and other marine industries to remain competitive with other ports.

b. Work with the Port of Seattle to develop a long-range port((~~harbor~~)) plan in order to provide predictability for property owners and private industry in the Duwamish and in Elliott Bay.

2. Tug & Barge Facilities: Retain Seattle's role as the Gateway to Alaska and ensure ample area is designated for uses that serve((~~maintain space for~~)) Puget Sound and Pacific trade.

3. Shipbuilding, Boat Building & Repairs: Encourage a critical mass of facilities in Seattle in order to meet the needs of the diverse fleets that visit or have a home port in Seattle, including fishing, transport, recreation and military vessels.

4. Moorage: Meet the long-term and transient needs of ((~~all of Seattle's~~)) ships and boats, including fishing, transport, recreation and military. ((~~Locate~~))Support long-

term moorage in sheltered areas close to services, and short-term moorage in more open areas. Support the efficient use of Fishermen's Terminal, ((the))Shilshole Bay Marina and other public moorage facilities. ((Reduce the))Protect commercial and recreational moorage from displacement ((of commercial moorage by recreational moorage))by encouraging the full use of submerged lands for recreational moorage in areas less suited for commercial moorage and less sensitive to environmental degradation. Require large recreational marinas to provide some commercial transient moorage as part of their facilities.

5. Recreational Boating: Maintain diverse opportunities for recreational boaters to access the water.((Seattle's unofficial status as a "boating capital.")) Allow a variety of boating facilities, from launching ramps for small "car top" or 'hand-carried' boats to major marinas. Encourage recreational moorage by providing both long-term and short-term moorage at marinas and short-term moorage at cultural and recreational sites.((Provide long-term recreational moorage for residents and sufficient short-term moorage close to cultural and recreational centers for visitors.))

6. Passenger Terminals: Maintain and expand the opportunity for ((residents and visitors))convenient travel by ship to local and distant ports for residents and visitors. Encourage ((more))passenger-only ferries on the Central Waterfront.

7. Fishing Industry: Maintain a critical mass of support services including boat building and repair, moorage, fish processors, and supply houses to ((permit))allow Seattle fishermen to continue to service and have a home-port for their vessels in Seattle waters. Recognize the importance of the local fishing industry in supplying local markets and restaurants. Recognize the economic contribution of distant-water fisheries to Seattle's maritime and general economy.

**LU273 Allow multi-use developments including uses that are not water-dependent or water-related where the demand for water-dependent and water-related uses is less**

than the land available or if the use that is not water-dependent is either limited in size, provides a benefit to existing water-dependent and water-related uses in the area or necessary for the viability of the water-dependent uses. Such multi-use development shall provide shoreline ecological restoration, which is preferred, and/or additional public access to the shoreline to achieve other Shoreline Master Program goals.

### **shoreline recreation ((goals))**

**LUG58((53))** Manage and optimize publicly owned shorelines that are suitable for public recreation.

**LUG59((54))** Increase shorelines dedicated to public recreation and open space.

**LUG60((55))** Identify, protect and reserve for public use and((or)) enjoyment ((those))areas in the Shoreline District ((containing special shoreline qualities that cannot be easily duplicated))that provide a variety of public access activities and that connect to other public access sites so that public access is available throughout the City.

**LUG61** Allow increased opportunities for the public to enjoy water-dependent recreation, including boating, fishing, swimming, diving and enjoyment of views.

### **((recreation policies))**

((**LUG258** Allow for increased opportunity for the public to enjoy water-dependent recreation including boating, fishing, swimming, diving and enjoyment of views.))

**LU~~274~~259**) Designate ((as suited))for water-dependent recreation areas ((having))where there are natural beaches, large amounts of submerged land ((for moorage))or sheltered water(s) and ((the absence of))where there is minimal heavy ship traffic ((and incompatible))or land suitable for heavy ((industry.))industrial activity, while protecting ecological functions.

**LU~~275~~260**) Provide for recreational boating facilities including ((terminals;)) moorage and service facilities on publicly-owned land and encourage the provision of such facilities on private property((, if the environmental impact is acceptable.))in appropriate areas that minimize environmental impacts.

**LU~~276~~261**) Increase publicly-owned shorelines, giving priority to those areas of the city that lack recreational facilities.

**LU~~277~~262**) Explore alternatives to ((means (other than))acquisition((to provide))for providing public recreation at the shoreline and on the water.

**LU~~278~~263 Use**)Identify submerged lands that could be used for underwater parks((when feasible)).

**shoreline archaeological and historic resources(history, culture, restoration & enhancement goals)**

((**LUG~~56~~** Appropriately designate sites and areas of shoreline having historic or cultural significance.))

**LUG62** Encourage the restoration, preservation and maintenance of areas of the shoreline having significant archaeological and historical significance.

**LUG63**((57)) ((Support and e))Encourage the restoration of ((those areas or conditions))archaeological and historic features of the shoreline ((now unsuitable for private or public use;))where consistent with economic and environmental goals.

((**LUG58** Upgrade and/or beautify the public shoreline.))

**((history, culture, restoration & enhancement policies**

**LU264** Support and encourage the restoration, preservation and maintenance of areas of the shoreline having significant historical or cultural significance, and a program for shoreline restoration and beautification.

**LU265** Consider protection of individual sites or aspects of areas identified as being of historical significance through landmark designation.))

**LU279** Designate, protect, preserve and support restoration of sites and areas of the Shoreline District having historic or cultural significance, including through landmark designation where appropriate.

**LU280**Avoid impacts to areas identified as archaeologically and historically significant, unless no reasonable alternative locations exist and impacts to the resource are mitigated.

((process goal

**LUG59** Continue shoreline planning by periodically updating the inventory, goals, policies and regulations to respond to changing attitudes and conditions in Seattle's shorelines.

process policy

**LU266** Conduct periodic assessments of the performance of and the need for change in the Shoreline Master Program.

area objectives for seattle's shorelines goals

**LUG60** Recognize the unique opportunities in different areas of our shorelines to accommodate different types of water dependent businesses and shoreline recreation, and to protect and enhance natural areas and views of the water.

**LUG61** Restore Lower Duwamish Watershed habitat while maintaining the urban industrial nature of the area, its neighborhoods and the importance of sustaining a healthy and diverse working waterfront and marine ecology.

**LG62** Strengthen the vitality of a functioning ecosystem within the Lower Duwamish Watershed by integrating projects into their surrounding environments, by supporting a diversity of habitats, and by strengthening connections between habitats throughout the Watershed.

area objectives for seattle's shorelines policies

**LU267** The Lower Duwamish Watershed Habitat Restoration Plan (December, 1996, as may be amended from time to time) should be considered by agencies when conducting planning or permitting activities within the watershed.

**LU268** It is the intent of the Area Objectives to indicate which of the Shoreline Areas Goals and Policies are to be met on each specific section of shoreline. The Management System for Appropriate Uses as required by the Shoreline Management Act shall consist of the Area Objectives for the diverse areas of Seattle's shorelines, the purposes of the shoreline environments, the shoreline environment designations, and the use regulations and development standards of the Land Use Code.

**LU269** The area objectives for Seattle Shorelines illustrated in Land Use Figure 1 are as follows:

1. Area Objectives For Shorelines Of Statewide Significance

a. Puget Sound (Residential/ Recreational Areas) (The Puget Sound area includes all of the shorelines on Puget Sound within the City limits, except the Shilshole area, Elliott Bay, the Harborfront and the Duwamish Waterways.)

- Protect the fragile ecology of the natural beaches and fish migration routes.
- Encourage and enhance shoreline recreational activities, particularly in developed parks.
- Provide for quality public access to the shoreline.
- Preserve and enhance views of the water.
- Protect areas developed for residential use in a manner consistent with the Single family and Multi family Residential Area Policies.

b. Elliott Bay (The Elliott Bay area is all shoreline area from 24<sup>th</sup> Avenue West to SW Atlantic Street, except the Harborfront, Harbor Island and the Duwamish Waterways.)

- Reserve waterfront lots for major port terminals, large water-dependent and water related manufacturing and industrial facilities, and major water-dependent recreational developments.

~~• Choose shoreline environments that are appropriate for recreational and industrial uses based on water depth, amount of dry land, topography, and truck and rail access.~~

- ~~• Protect and enhance migratory fish routes and feeding areas.~~

~~e. Harborfront (Central Waterfront) (The Harborfront area is the shoreline area from Bay Street on the north to S. Jackson Street on the south.)~~

~~• Encourage economically viable marine uses to meet the needs of waterborne commerce.~~

- ~~• Facilitate the revitalization of downtown's waterfront.~~

~~• Provide opportunities for public access and recreational enjoyment of the shoreline.~~

~~• Preserve and enhance elements of historic and cultural significance.~~

- ~~• Preserve views of Elliott Bay and the land forms beyond.~~

~~d. The Duwamish (The Duwamish area includes the Duwamish river from the south city limits north to South Massachusetts on the east side and Southwest Bronson Street on the west side, and including Harbor Island and the East and West Duwamish Waterways.)~~

~~• Preserve the statewide interest by encouraging industrial and port uses in this area, where such uses are already concentrated, while also protecting migratory fish routes.~~

~~• Protect Kellogg Island as an important natural resource for fish and wildlife habitat and the opportunity for the public to view those resources.~~

~~• Work with appropriate government agencies and shoreline users to reduce the input of pollutants, restore contaminated areas and regulate disposal of dredge spoils.~~

~~• Increase public access and recreational opportunities through the Duwamish Public Access Plan.~~

e. ~~The Shilshole Area~~ (~~The Shilshole area is the shoreline area from NW 80~~th~~ Street on the north, to the Chittenden Locks.~~)

~~• Retain the strong, water dependent recreational character of the area. Water dependent recreational uses and their supporting services are the preferred uses for this area.~~

~~• Permit non water dependent commercial uses when providing access to the water, protecting views and not usurping land usable for future water dependent recreational uses.~~

~~• On waterfront lots, new residential uses may be permitted when adjacent to existing residences. Protect the fish migration routes.~~

f. ~~Lake Washington and Union Bay~~ (~~The Lake Washington area is the shoreline area on Lake Washington from the north to south city limits, including Union Bay, to the Montlake Bridge.~~)

~~• Preserve the resources of natural areas and fish migration, feeding areas and spawning areas.~~

~~• Provide quality public access to the shoreline by encouraging and enhancing shoreline recreational activities, particularly in developed parks.~~

~~• Preserve and enhance views of the water.~~

~~• Protect developed residential and commercial areas in a manner consistent with adopted land use policies.~~

Union Bay:

~~• Protect fragile natural environments.~~

~~• Provide opportunities for the public to enjoy the natural environment.~~

## 2. Area Objectives For Other Shoreline Areas

a. The Ship Canal (The Ship Canal area includes the Lake Washington Ship Canal from the Chittenden Locks to the Fremont Bridge.)

- Retain and encourage the important role that the Ship Canal plays in state, regional and local fisheries by reserving the Ship Canal primarily for water-dependent and water related uses. Non water dependent uses shall be restricted, prohibited or allowed only on a limited basis by the selection of shoreline environments that favor water dependent uses.
- Encourage the development of non water dependent commercial, institutional and manufacturing uses on those areas of the Fremont Cut that do not have water access.

b. Lake Union and Portage Bay (The Lake Union area is all of Lake Union from the Fremont Bridge to the Montlake Bridge, and all of Portage Bay, from the I 5 Bridge to the Montlake Bridge.)

- Maintain and encourage a diversity of uses around Lake Union and Portage Bay by designating different areas of the shoreline with different shoreline environments.
- Retain the working character of Lake Union by reserving those areas of the lake's shorelines that are suitable for water dependent uses for the use of marine businesses. Prohibit new residential uses on industrial shorelines.
- Allow a greater mix of uses, including non water dependent uses providing public access, in those areas that are not being preserved for water dependent uses.
- Preserve the existing floating home community.
- Provide a maximum amount of public access in locations that do not conflict with water dependent manufacturing uses.
- Provide for some open water and protect views of the Lake and Bay in all environments in Lake Union and Portage Bay.

- ~~Restore and enhance and Lake's natural environment.~~
- c. ~~Green Lake (The Green Lake area includes the lake, the park and its 200 foot wide shoreline.)~~
  - ~~Encourage and enhance the shoreline recreational activities and opportunities in the area as a unique urban park.~~
  - ~~Explore restoration options for improving water quality, reducing algae and other plant growth, and enhancing sports fishing.))~~

### **shoreline environments**

The Shoreline Master Program must address a wide range of physical conditions and development settings along areas of the shoreline. The Shoreline Master Program prescribes different environmental protection measures, allowable use provisions and development standards for each of these areas of the shoreline. The method to account for different shoreline conditions is to assign an environment designation to each distinct shoreline section. The environment designation assignments provide the framework for implementing shoreline policies and regulatory measures specific to the environment designations. The shoreline environments within Seattle's Shoreline District is divided into two broad categories; Conservancy and Urban and then subdivided further within these two categories.

The Conservancy shoreline environments are less developed and provide for areas of navigation, recreation and habitat protection. The Urban shoreline environments are areas that are more developed and provide for single family residential development and water-dependent and water-related uses. The Conservancy and Urban shoreline environments are described in the following goals and policies and displayed on Land Use Figure 1).

### **conservancy shoreline environment goals and policies**

**LUG62** The conservancy shoreline environments are intended to provide for navigation, public access, recreation, protection and restoration and enhancement of ecological functions, in the Shoreline District, while allowing some development if designed to protect ecological functions.

### **Conservancy Management (CM) environment.**

**LUG63** The purpose of the Conservancy Management Environment is to preserve and enhance the shoreline environment while providing opportunities for shoreline recreation

**LU281** Encourage restoration of ecological functions in areas where such function has been degraded.

**LU282** Accommodate water-oriented public infrastructure projects or such projects that require a waterfront location and that are compatible with the ecological functions of the area

### **Conservancy Navigation (CN) environment**

**LUG64** The purpose of the Conservancy Navigation Environment is to preserve the shoreline environment while providing navigational use of the water.

**LU283** Allow in-water and over-water structures that are primarily for navigational purposes.

**LU284** Enhance and restore ecological function, where feasible, in areas where such function has been previously degraded.

**Conservancy Preservation (CP) environment**

**LUG64** The purpose of the Conservancy Preservation Environment is to preserve, enhance and restore the ecological functions in the Shoreline District

**LU285** Prohibit uses that substantially degrade the ecological functions or natural character of the shoreline.

**LU286** Prohibit commercial and industrial uses and non-water-oriented recreation.

**LU287** Prohibit parking that can be located outside the CP area.

**LU288** Limit access and utilities to those necessary to sustain permitted uses and activities.

**Conservancy Recreation (CR) environment**

**LUG64** The purpose of the Conservancy Recreation Environment is to preserve and enhance the shoreline environment while providing opportunities for shoreline recreation

**LU289** Prioritize public access, water-dependent recreation and other water-oriented uses compatible with ecological protection.

**LU290** Locate public access and public recreation only where the impacts on ecological functions can be effectively mitigated.

**Conservancy Waterway (CW) environment.**

**LUG65** The purpose of the Conservancy Waterway Environment is to preserve and enhance the shoreline environment while providing access to the shoreline and water by watercraft

**LU291** Provide navigational access to adjacent properties, access to and from land for the loading and unloading of water craft and temporary moorage.

**LU292** Allow in- and over-water structures only where needed for navigational purposes, temporary moorage, minor vessel repair, pedestrian bridges and/or ecological restoration.

**LU293** Minimize impacts on navigation, public views and ecological functions.

**urban shoreline environment goal**

**LUG66** The urban shoreline environments are intended to provide for increased development of the shoreline for residential, commercial and industrial uses while protecting ecological functions.

**Urban Commercial (UC) environment**

**LUG67** The purpose of the Urban Commercial Environment is to provide for water-oriented uses of the shoreline and for uses that are not water-oriented when shoreline restoration and enhancement or public access is provided.

**LU294** Allow uses that are not water-oriented only when in combination with water-dependent uses or in limited situations where they do not conflict with or limit opportunities for water-dependent uses or on sites where there is no direct access to the shoreline.

**LU295** Require visual access to the water through view corridors or other means for commercial and larger multifamily residential projects.

**LU296** Provide for public access to the shoreline and require shoreline environmental restoration and enhancement for uses that are not water-dependent.

### **Urban General (UG) environment**

**LUG68** The purpose of the Urban General Environment is to provide for commercial and industrial uses in the Shoreline District where water access is limited.

**LU297** Allow commercial and industrial uses that are not water-dependent or water-related.

**LU298** Require visual public access where feasible.

### **Urban Harborfront (UH) environment**

**LUG68** The purpose of the Urban Harborfront Environment is to provide for water-oriented uses (uses that are water-dependent, water-related, water-enjoyment or a combination of such uses) of the shoreline and for a mix of uses that are water-oriented and not water-oriented on lots where shoreline restoration and enhancement or public access is provided.

**LU299** Allow a mix of uses in recognition of this environment's roles in tourism and transportation, while ensuring a high degree of public access and recognizing the historic, environmental and anthropogenic natures of this area.

**LU300** Allow uses that are not water-oriented as part of mixed-use developments or in circumstances where they do not conflict with or limit opportunities for water-oriented uses.

**LU301** Allow uses that are not water-oriented on sites where there is no direct access to the shoreline.

**LU302** Allow uses that reflect the diversity of development in the area and support adjacent retail and tourism industry. On waterfront lots provide public access and opportunities for large numbers of people to access and enjoy the water in the form of restaurants and water-dependent recreational activities. Allow a broader range of uses on upland lots to support the tourist industry and retail core.

**LU303** Maintain and enhance views of the water and the landforms beyond the water to augment the harborfront's pedestrian environment and status as an important waterfront destination. Encourage connections to east/west corridors and waterfront trails.

**LU304** Encourage and provide for physical public access to the water, where appropriate and feasible

**LU305** Development should support or enhance the existing historic character of the urban harborfront while balancing the need for ecological enhancement.

### **Urban Industrial (UI) environment**

**LUG69** The purpose of the Urban Industrial Environment is to provide for water-dependent and water-related industrial uses on larger lots

**LU306** Allow uses that are not water dependent to locate on waterfront lots in limited circumstances and in a limited square footage on a site as part of development that includes water-dependent or water-related uses, where it is demonstrated that the allowed uses will benefit water-dependent uses and where the use will not preclude future use by water-dependent uses.

**LU307** Allow uses that are not water-dependent or water-related where there is no direct access the shoreline.

### **Urban Maritime (UM) environment**

**LUG72** The purpose of the Urban Maritime Environment is to provide for water-dependent and water-related industrial and commercial uses on smaller lots.

**LU308** Design public access to minimize interference with water-dependent, water-related and industrial uses and encourage that public access be located on street ends, parks and other public lands.

**LU309** Allow uses that are not water dependent to locate on waterfront lots in limited circumstances and in a limited square footage on a site as part of development that includes water-dependent or water-related uses, where it is demonstrated that the allowed uses will benefit water-dependent uses and where the use will not preclude future use by water-dependent uses.

**LU310** Allow uses that are not-water-dependent or water-related on lots where there is no direct access to the shoreline.

### **Urban Residential (UR) environment**

**LUG72** The purpose of the Urban Residential Environment is to provide for residential use in the Shoreline District when it can be developed in a manner that protects shoreline ecological functions.

**LU311** Provide for single-family residential use of the shoreline in areas that are not suited for industrial and commercial use, habitat protection or public access.

**LU312** Provide development standards that allow residential development and protect ecological functions, such as shoreline armoring standards and structure setback regulations.

**LU313** Multifamily development is not a preferred use in the Shoreline District and should be limited to locations where allowed as of January 2011.

**LU314** Require public access as part of multifamily development of greater than four units.

**LU315** Provide for access, utilities and public services to adequately serve existing and planned development.

### **shorelines of statewide significance**

In addition to the goals and policies of each shoreline environment the following goals apply to all shorelines of statewide significance under the jurisdiction of the Shoreline Master Program, which include: Puget Sound, the Duwamish River (shorelines from the south city limits north to South Massachusetts on the east side and Southwest Bronson Street on the west side, and including Harbor Island and the East and West Duwamish Waterways), Lake Washington and Union Bay to the Montlake Bridge, as illustrated in Land Use Figure 1.

**LU316** Protect the ecology of natural beaches and fish migration routes, including the natural processes associated with feeder bluffs.

**LU317** Encourage and enhance shoreline recreational activities, particularly in developed parks.

**LU318** Provide for quality public access to the shoreline.

**LU319** Preserve views of Puget Sound and the land forms beyond, as well as views of Lake Washington and Union Bay.

**LU320** reserve and enhance the resources of natural areas and fish migration routes, feeding areas and spawning areas.

**height in the shoreline district((policy))**

**LU321(270)**) The 35-foot height limit provided in((ef)) the Shoreline Management Act shall be the standard for maximum height in the Seattle Shoreline District.

Exceptions in the development standards of a shoreline environment may be made consistent with the Act and with underlying zoning and special districts where:

1. a greater height will decrease the impact of the development on the ecological condition;
2. a greater height will not obstruct views from public trails and viewpoints;
- 3((a)). a greater height will not obstruct shoreline views from((ef)) a substantial number of residences, and will serve a beneficial((the))public interest ((will be served)); or((and))
  - 4((b)). greater height is necessary for bridges, or equipment ((the operational needs))of water dependent or water-related uses or manufacturing uses.((;or
    - e. greater height is necessary to allow for the replacement of the State Route 99 Viaduct (only for seawall reconstruction and either a tunnel with a surface roadway or a surface roadway); or
    - d. a reduced height is warranted because of the underlying residential zone; or
    - e. a reduced height is warranted because public views or the views of a substantial number of residences could be blocked.))

**LU322** Heights lower than 35 feet:

1. shall be the standard for structures overwater; and
  2. where a reduced height is warranted because of the underlying residential zone;
- or
3. where a reduced height is warranted because public views or the views of a substantial number of residences could be blocked

### **SMP process**

**LUG73 Continue shoreline planning by periodically updating the inventory, goals, policies and regulations to respond to changing priorities and conditions in Seattle's shorelines.**

**LU323 Conduct periodic assessments of the performance of and the need for change in the Shoreline Master Program.**