

CHAPTER 1

INTRODUCTION

1.1 USER'S GUIDE TO THE MASTER PROGRAM

A Shoreline Master Program (SMP) is prepared in accordance with the Washington State Shoreline Management Act (SMA or Act) of 1971 (Chapter 90.58 RCW), the State Master Program Approval/Amendment Procedures and Master Program Guidelines (Chapter 173-26 WAC), the Shoreline Management Permit and Enforcement Procedures (Chapter 173-27 WAC), and Washington State Department of Ecology SMP guidelines.

The City of Mountlake Terrace Shoreline Master Program (Master Program) consists of goals, policies, and regulations, together with explanatory text and maps, consistent with the state requirements, as informed by local conditions, to guide development of designated shorelines in the City.

The purposes of this Shoreline Master Program are:

- A. To carry out the responsibilities the City of Mountlake Terrace has as established by the Shoreline Management Act (Chapter 90.58 RCW), within the City's shoreline jurisdiction.
- B. To promote uses and development of the City of Mountlake Terrace shoreline, consistent with this Master Program n, while protecting and restoring environmental resources.
- C. To promote the public health, safety, and general welfare, by providing a guide and regulation for future development of the shoreline resources, of the City of Mountlake Terrace.

1.2 AUTHORITY

Authority for enactment and administration of the program is the Shoreline Management Act (SMA or Act) of 1971, Chapter 90.58 RCW, as now or hereafter amended.

1.3 APPLICABILITY

The City's Master Program must regulate all "shorelines of the state" and their associated "shorelands", as defined by RCW 90.58.030. Shorelines of the state means all "shorelines" and "shorelines of statewide significance". Shorelands means those lands extending landward for two hundred feet in all directions as measured on a horizontal plane from the ordinary high water mark of a shoreline of the state, as well as any associated wetlands and floodplain.

An Inventory and Characterization Report, 2010 (ICR) was completed for the 2013 SMP update to identify the shorelines of the state in the City. Consistent with the state definitions, the report concluded there were no shorelines of statewide significance in Mountlake Terrace. The report also concluded that the only designated shoreline of the state was Lake Ballinger.

All proposed uses and development occurring within the shoreline jurisdiction of the City of Mountlake Terrace must conform to the Shoreline Management Act and this Master Program. All uses, even those not meeting the definition of development, are subject to the provisions and development regulations of this Master Program, even though a permit may not be required.

1.4 CITY OF MOUNTLAKE TERRACE SHORELINE JURISDICTION

Based on the SMA definitions and conclusions of the ICR, the shoreline jurisdiction within the City of Mountlake Terrace consists of:

- That portion of Lake Ballinger and the shoreline of Lake Ballinger within city limits; and
- Ballinger Island; and
- The upland area within 200 feet of the ordinary high water mark of Lake Ballinger, as well as any associated wetlands and floodplain.

See Appendix A for Shoreline Planning Area, Map 1.

All proposed uses and development occurring within the shoreline jurisdiction must conform to Chapter 90.58 RCW (Shoreline Management Act), and this Shoreline Master Program.

1.5 RELATIONSHIP TO OTHER PLANS OR REGULATIONS

- A. Uses, developments, and activities regulated by this Master Program may also be subject to the provisions of the City of Mountlake Terrace Comprehensive Plan, the Washington State Environmental Policy Act (SEPA), Mountlake Terrace Municipal Code (MTMC), and various other provisions of local, state, and federal law, as may be amended. Project proponents shall comply with all applicable laws prior to commencing any use, development, or activity.
- B. The Shoreline Master Program has been developed as a both a policy and a regulatory program. As such, the Shoreline Master Program is a part of and was developed to be consistent with the City of Mountlake Terrace Comprehensive Plan and its component elements.
- C. The MTMC establishes specific and detailed regulations for most of the uses, development, and activities regulated in this chapter. The MTMC and this Master Program are intended to operate together to produce coherent and thorough shoreline regulations. Uses, developments, and activities must comply with both the MTMC and the Shoreline Master Program in all cases. If there is a conflict between the two, the Shoreline Master Program shall prevail.

1.6 LIBERAL CONSTRUCTION

As provided for in RCW 90.58.900, the Shoreline Management Act is exempted from the rule of strict construction; the Act and this Master Program shall, therefore, be liberally construed to give full effect to the purposes, goals, policies, and standards for which the Act and this Master Program were enacted.

1.7 MASTER PROGRAM CONTENTS

This Master Program contains the following components:

A. GOALS AND GENERAL DEVELOPMENT POLICIES

The Goals express the desires of the people of the City of Mountlake Terrace with respect to the long-range development of the City's shorelines. Each element described in RCW 90.58.100(2) is addressed by a Goal and a series of General Development Policies. These goals and policies form the basis for all succeeding levels of the Master Program but, with the exception of the Shoreline Use Element, are not directly used in the Development Evaluation Process.

B. **USE ACTIVITY POLICIES** address each of the activities enumerated in WAC 173-16-060 and are intended to establish citywide policies for the conduct of each such activity in the shoreline jurisdiction.

C. **USE ACTIVITY REGULATIONS** are designed to regulate the Use Activities in a manner compatible with the policies established for each such activity. These regulations establish minimum performance standards for shoreline activity conduct; deviation from these regulations can only be allowed subject to issuance of a Variance.

D. **ENVIRONMENT DESIGNATION CRITERIA** set forth the "ground rules" to be used in determining which Environment is appropriate to assign a given section of shoreline. (These criteria are not used in the Development Evaluation Process for a specific use proposed within an environment.)

E. ENVIRONMENT DESIGNATIONS (MAP)

The Environment Designations establish the kinds of activities allowed on a given section of shoreline. They also specify the intensity of use and the manner of use of that shoreline. The general philosophy underlying the use of each Environment is contained in the Management Policies of each designation type. Appendix A contains the Shoreline environment map.

1.8 DOCUMENT ORGANIZATION

This Master Program is divided into the following eight parts, consistent with the material to be included within a Master Program, as established in Chapter 173-26 WAC:

A. **CHAPTER 1 – INTRODUCTION**, contains basic and general information regarding the Shoreline Master Program.

B. **CHAPTER 2 – SHORELINE MASTER PROGRAM ELEMENT**, contains the city's goals and policies with respect to the program elements established in Chapter 173-26 WAC.

- C. **CHAPTER 3 – ENVIRONMENT DESIGNATIONS AND POLICIES**, contains information regarding the different shoreline environments to be found within the city including goals and policies specific to each of the shoreline environments.
- D. **CHAPTER 4 – SHORELINE POLICIES AND REGULATIONS**, contains policies and regulations with respect to general Master Program provisions identified in Chapter 173-26 WAC.
- E. **CHAPTER 5 – SHORELINE USE AND MODIFICATION POLICIES AND REGULATIONS**, contains policies and regulations that apply to specific uses and modifications that are regulated under the Shoreline Master Program.
- F. **CHAPTER 6 – ADMINISTRATION**, contains administrative procedures for shoreline permitting.
- G. **CHAPTER 7 – ACRONYMS**
- H. **APPENDICES** – The appendices contain the shoreline environments map and reference regulations and documents pertaining to this Master Program Definitions.
- I. **DEFINITIONS** – Definitions applicable to the Shoreline Master Program are contained in Mountlake Terrace Municipal Code (MTMC), Shoreline Management Chapter 16.10 MTMC.