

CHAPTER 2

SHORELINE MASTER PROGRAM ELEMENTS

2.1 SHORELINE ELEMENT GOALS AND POLICIES

The Shoreline Management Act of 1971 establishes eight basic land and water use elements that must be incorporated into the City of Mountlake Terrace's Shoreline Master Program. These elements are: shoreline use, economic development, public access, recreation, circulation, historic/cultural/scientific/education, flood damage prevention and minimization, and conservation. Elements for restoration and enhancement, and implementation have also been provided to accomplish the policy of the Shoreline Management Act.

The following comprehensive set of shoreline goals and general development policies provide the foundation and the framework on which the remainder of the Master Program has been developed. These goals and policies reflect the level of achievement believed to be intrinsically desirable for all shoreline uses, resources, needs and developments.

2.1.1 SHORELINE USE ELEMENT

Goal:

Assure appropriate conservation and development of City of Mountlake Terrace's shorelines by allowing those uses which are particularly dependent upon their location on and use of shorelines, as well as other development which provides an opportunity for substantial numbers of people to enjoy the shorelines. This must be done in a manner which will achieve an orderly balance of shoreline uses that do not unduly diminish the quality of the environment.

Policies:

1. Permit only those uses or conditions that protect the opportunity for shorelines to be used in the future for activities that depend upon a shoreline location, unless identified benefits clearly compensate for the physical, social and/or economic loss to future generations.
2. Ensure that activities and facilities are designed and located on the shoreline in such a manner as to maintain or improve the ecological functions of the shoreline environment and assure no net loss of ecological functions.
3. Assure that all uses and developments are compatible with the site, the surrounding area and the environment.
4. Provide site development performance standards and other appropriate criteria to developers indicating minimum acceptable standards to be achieved.
5. Encourage uses which protect and preserve the potential long-term benefits to the public from compromise by short-term economic gain or convenience.

6. Encourage multiple uses of shorelines where location and integration of compatible uses or activities is feasible.
7. Shoreline land and water areas which are particularly suited for specific and appropriate uses should be reserved for such uses whether they are existing or potential.
8. Prohibit nonwater-dependent or non-water-related uses that permanently alter the shoreline in such a way as to conflict with, or preempt future water-dependent or water-related uses.
9. Allow uses, on a limited time basis that are not water-related or water-dependent, if not permanent and if not requiring permanent modifications of natural shorelines.
10. Implement a management system which will plan for and permit all reasonable and appropriate uses by providing a system of priorities. Those priorities will be established for each designated environment using the following criteria, in order of preference:
 - a. Protection and enhancement of natural areas or systems – those identified as containing or having unique geological, ecological, or biological significance;
 - b. Water-dependent uses – all uses that cannot exist in any other location and are dependent on the water by reason of the intrinsic nature of their operations;
 - c. Water-related uses – those uses which do not depend on a waterfront location to continue their operation, but whose operation is facilitated economically by a shoreline location;
 - d. Non-water related uses – those uses which do not need a waterfront location to operate though they may need easement or utility corridors for access to the water; Non water-oriented uses should be allowed only when substantial public benefit is provided with respect to the goals of the Act for public access and ecological restoration.
 - e. Prohibited uses – those uses which have no relation to the water and whose operation is intrinsically harmful to the shoreline.
12. Encourage continuing biological, geological, ecological, and economic studies of shoreline systems, which will provide a continuously updated data base against which the impact of any proposal relative to the City of Mountlake Terrace Master Program can be judged.
13. Require all development to plan for and control runoff and, when necessary, treat it before discharging from the site. The use of Low Impact Development techniques is encouraged.

2.1.2 ECONOMIC DEVELOPMENT ELEMENT

Goal:

Allow only those transportation facilities and commercial and recreational developments particularly dependent upon their location on and use of City of Mountlake Terrace's shoreline, as well as other

developments that will provide substantial numbers of the public an opportunity to enjoy the shorelines. Minimal disruption of the natural environment is envisioned in the implementation of this goal.

Policies:

1. Give priority to transportation facilities and commercial and recreational development that is water-surface or shoreline dependent and those developments that will provide substantial numbers of the public an opportunity to enjoy the shorelines.
2. Limit the adverse effects of new transportation facilities and commercial and recreational development upon the physical environment and natural processes.
3. Encourage clustering and the orderly development of commercial uses.
4. Discourage commercial developments from locating in previously undeveloped areas when it is practicable to locate such developments in previously developed areas.
5. Locate commercial development in areas already developed so long as such areas have not reached their carrying capacity.
6. Encourage the development of commercial and recreational activities which can make use of existing public services.
7. Encourage development toward a multi-use concept to provide public access to the shoreline while maintaining the economic viability of the principal use.

2.1.3 PUBLIC ACCESS ELEMENT

Goal:

Assure and regulate safe, convenient, and diversified access for the public to the shorelines of Mountlake Terrace and assure that the intrusions created by public access will recognize the rights of private property owners, will not endanger life, and will not adversely affect fragile natural areas.

Policies:

1. Respect and protect the enjoyment of private rights in shoreline property when considering public access development.
2. Locate, design, and maintain public access development so as to protect the natural environment and natural processes.
3. Provide for the public health and safety when developing public access.
4. Purchase, or otherwise make available to the public, shoreline properties if their value for public use merits such action.

5. Provide for and design various types of access which are appropriate to the shoreline environment and its specific uses.
6. Control and regulate public access on the publicly-owned shorelines to ensure that it is located, designed, managed, and maintained in a manner that protects shoreline processes and assures no net loss of ecological functions.

2.1.4 CIRCULATION ELEMENT

Goal:

Permit safe and convenient circulation systems appropriate to the shoreline environment that cause minimum disruption to shoreline access, shoreline environment, and minimum conflict between the different users.

Policies:

1. Locate and design circulation systems so as to provide for multiple modes of transportation and to allow for the future incorporation of alternate modes of transportation.
2. Locate and design circulation systems so as to ensure the overall integrity of other social and economic activities and natural systems.
3. Design circulation systems that provide safe and efficient movement of people and products while providing for alternative modes of transportation.
4. Locate, design, and manage circulation systems and activities in a manner that protects shoreline processes and assures no net loss of ecological functions.
5. Ensure that circulation systems and activities do not take private property for public use without just compensation.
6. Locate and design major vehicular circulation systems away from the shoreline so that natural shorelines and floodplains remain substantially unmodified, except for necessary crossings.
7. Encourage corridors for transportation and utilities when they must cross shorelines.

2.1.5 HISTORIC, CULTURAL, SCIENTIFIC AND EDUCATION ELEMENT

Goal:

Protect, preserve, and encourage restoration of those sites and areas on the shorelines of Mountlake Terrace which have significant historic, cultural, educational, or scientific values, in accordance with applicable state and federal laws regarding historic and archaeological resources.

Policies:

1. Preserve and protect to the maximum extent all shoreline area sites, buildings, structures, and objects that have been placed on the national or state historical register.

2. Encourage the preservation for scientific study and public observation all areas known to contain significant archaeological data.
3. Encourage the preservation for the public benefit, with opportunity for appropriate public utilization, significant historic, scientific, and educational areas of the shorelines.

2.1.6 RECREATIONAL ELEMENT

Goal:

Preserve, enlarge, and provide additional opportunities and space for diverse forms of recreation for the public.

Policies:

1. Identify, preserve, protect, and purchase, if feasible, areas with unique recreational characteristics before other development makes such action impossible.
2. Encourage recreational use consistent with the ability of the site to support such use.
3. Locate, design, manage, and maintain recreational uses to assure no net loss of shoreline ecological functions or shoreline processes.
4. Encourage location, design, and operation of recreational development for maximum compatibility with other uses and activities.
5. Provide a balanced choice of recreational opportunities.
6. Encourage innovation and cooperative techniques among public agencies and private persons which increase and diversify recreation opportunities.
7. Encourage private investment in recreational facilities open to the public.
8. Do not substantially impair original natural or recreational values when developing or redeveloping recreational uses.
9. Give recognition to the recreational values of shorelines in their natural state.
10. Recreational development and shoreline restoration and habitat enhancement projects should be coordinated where feasible.
11. Encourage compatible recreational uses in transportation and utility corridors.
12. Encourage development that is consistent with the City's Recreation, Parks, and Open Space Master Plan, and other relevant City planning documents.

2.1.7 CONSERVATION ELEMENT

Goal:

Assure preservation, protection, and restoration of Mountlake Terrace's unique and nonrenewable

resources while encouraging the best management practices for the conservation of renewable resources of the shorelines.

Policies:

1. Protect the scenic and aesthetic qualities of shorelines and vistas to the fullest extent practicable.
2. Provide for a beneficial utilization of shoreline resources in a way that ensures no net loss of shoreline ecological functions or processes.
3. Identify those areas that have a potential for restoration of damaged features or ecosystems to a higher quality than may currently exist, develop standards for improvement of the conditions in those areas, and provide incentives for achieving such standards.
4. Provide incentives to preserve unique, rare, and fragile natural features and resources as well as scenic vistas, parkways, and wildlife habitats.
5. Encourage the best management practices for the conservation of renewable resources.
6. Identify those areas that are necessary for the support of wild and aquatic life and those having unique geological/biological or historical significance and establish regulations to minimize adverse impact on those areas.
7. Encourage public and private shoreline owners to manage their lands in a way that promotes the proliferation of wildlife, fish, and plants without unduly interfering with existing activities so long as the management of these lands is consistent with this SMP.
8. Protect critical areas and shoreline ecological processes and functions through regulatory and non-regulatory means. Protection may include acquisition of key properties, regulation of development, and incentives to encourage ecologically sound design.
9. The City shall ensure that uses and development in shoreline areas is compatible with the shoreline environments designated in this Shoreline Master Program. Adherence to these designations will ensure that sensitive habitat, ecological systems, and other shoreline resources are protected.
10. New development or redevelopment should avoid or mitigate additional loss of shoreline ecological functions. Developments should be encouraged to improve ecological functions and restore riparian buffers.

2.1.8 FLOOD DAMAGE PREVENTION AND MINIMIZATION ELEMENT

Goal:

Give consideration to statewide interests in the prevention and minimization of flood damage. Establish and implement applicable floodplain management strategies to minimize private property damage, improve ecological function and prevent species and habitat loss in wetlands and streams.

Policies:

1. Require all development to comply with applicable stormwater management regulations.
2. Stormwater source control Best Management Practices that minimize the potential for downstream flooding should be implemented to the maximum extent practicable.
3. Encourage the use of Low Impact Development techniques where practicable.
4. Discourage the cutting of trees, removing of natural soils and vegetation, and alteration of floodplains and wetlands, where such actions could increase the potential for downstream flooding.
5. Support future efforts identify causes of flooding and make recommendations for actions to minimize flooding.
6. Support reassessment and modification, when necessary, of the management of the Lake Ballinger inlet and outlet weirs to maintain the lake level at an elevation that will minimize flooding potential, based on best available science.

2.1.9 RESTORATION AND ENHANCEMENT ELEMENT

Goal:

Support the restoration and enhancement of shoreline ecological functions within the City of Mountlake Terrace through vegetation conservation and timely restoration and enhancement of impaired shoreline areas to achieve a net gain in shoreline ecological functions over time.

Policies:

1. The goals and objectives of the City of Mountlake Terrace Restoration Plan should be supported and pursued to achieve a net gain in shoreline ecological functions.
2. Areas of existing native vegetation should be protected and allowed to mature to enhance shoreline functions and ecological processes.
3. Cooperative restoration programs between local, state, and federal agencies, tribes, non-profit organizations, and landowners should be encouraged to address shorelines with impaired ecological functions and/or processes.
4. Restoration actions should be prioritized to restore native vegetation in riparian and estuarine areas, improve water quality, and restore native vegetation and natural hydrologic functions of degraded areas.
5. Restoration and enhancement efforts should be targeted towards improving habitat requirements of sensitive, priority and/or locally important fish and wildlife species.
6. Shoreline ecological functions and processes and features should be restored and enhanced through voluntary and incentive-based public and private programs.

2.1.10 IMPLEMENTATION ELEMENT

Goal:

Further the intent and policy of the Shoreline Management Act of 1971 through a fair, balanced, and impartial administration of the substantial development permit process and other legal requirements of the act.

Policies:

1. Base all official actions relating to Substantial Development Permits upon the Shoreline Management Act and this Shoreline Master Program.
2. Employ the performance standards of the Master Program equitably to ensure the highest degree of shoreline protection consistent with the proposed development.
3. Process Substantial Development Permits as expeditiously as the law and thorough analysis and review will allow.
4. Seek advice and assistance from recognized experts at federal, state, or local levels whenever technically complex issues are involved in a Substantial Development Permit.
5. Grant variances from the provisions of the Master Program only in those limited instances when strict compliance with the provisions of the Master Program would impose unnecessary hardships on the applicant or thwart the policies set forth in the Shoreline Management Act and the City of Mountlake Terrace Shoreline Master Program; variances shall be granted in strict compliance with the provisions of the Washington Administrative Code relating to same. (WAC 173-27-170).
6. Approve Conditional Uses when they will further the intent of the Master Program, be compatible with their surroundings, and be regulated to minimize undesirable effects on the shoreline of the City; Conditional Uses shall be approved in strict compliance with the provision of the Washington Administrative Code relating to same. (WAC 173-27-160).
7. Comply with the requirements of the State Environmental Policy Act in processing Substantial Development Permits, when applicable, as a means of thoroughly evaluating the impact of a proposed development on the City's shorelines and, thus, furthering the intent of the Master Program.
8. Provide assistance to the general public as necessary and proper with regard to the provisions and requirements of the Shoreline Management Act of 1971 and the City of Mountlake Terrace's Master Program.
9. Provide for periodic review of shoreline uses and their locations as to appropriateness and compatibility with goals and policies.