AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, REPEALING ORDINANCE NO. 2270; AMENDING THE SHORELINE ELEMENT OF THE CITY’S COMPREHENSIVE LAND USE PLAN TO INCORPORATE POLICIES THAT REFLECT NEW STATE REQUIREMENTS FOR AREAS SUBJECT TO SHORELINE JURISDICTION; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City adopted a new Comprehensive Plan in 1995 to implement the goals and policies of the Growth Management Act of 1990 and the King County Countywide Planning Policies; and

WHEREAS, the Green/Duwamish River, a shoreline of the State, regulated pursuant to RCW 90.58, runs through the entire length of the City of Tukwila; and

WHEREAS, due to the presence of the Green/Duwamish River in the City, the 1995 Comprehensive Plan included policies addressing shorelines; and

WHEREAS, as set forth in RCW 90.58.020, the State Legislature has found that shorelines of the State are among the most valuable and fragile of its natural resources and unrestricted construction on privately- and publicly-owned shorelines of the State is not in the best public interest; and

WHEREAS, in RCW 90.58.020, the Legislature directed local governments developing Shoreline Master Programs for shorelines of State-wide significance to give preference to the following uses, in order of preference, which: 1) recognize and protect the State-wide interest over local interest; 2) preserve the natural character of the shoreline; 3) result in long-term over short-term benefit; 4) protect the resources and ecology of the shoreline; 5) increase public access to publicly-owned areas of the shorelines; 6) increase recreational opportunities for the public in the shoreline; and 7) provide for any other element, as defined in RCW 90.58.100, deemed appropriate or necessary; and

WHEREAS, in 2003 the Washington State Department of Ecology (DOE), adopted new rules, pursuant to RCW 90.58.200, to carry out provisions of the Shoreline Management Act; and
WHEREAS, DOE's new rules are set forth in WAC 173-26, and these new rules provide direction to local jurisdictions concerning the regulation of uses on shorelines of the State; and

WHEREAS, RCW 90.58.080 directs local governments to develop or amend their shoreline master programs consistent with the required elements of the guidelines adopted by DOE, in accordance with a schedule established in that section; and

WHEREAS, the timetable set forth in RCW 90.58.080(2)(a)(ii) required the City of Tukwila to amend its Shoreline Master Program by December 1, 2009; and

WHEREAS, the City of Tukwila's Shoreline Master Program is implemented by regulations codified at TMC Chapter 18.44, which are in turn guided by the Tukwila Comprehensive Plan's Shoreline Goals and Policies; and

WHEREAS, the Tukwila Comprehensive Plan's Shoreline Goals and Policies were adopted in Ordinance No. 1757, specifically, Goals and Policies 5.1-5.10; and

WHEREAS, in order to amend the Tukwila Shoreline Master Program, it is necessary to update the Comprehensive Plan Shoreline Goals and Policies, which have not been updated since 1995, to reflect the updated WAC 173-26 regulations for shoreline master programs; and

WHEREAS, the City began an update of its Shoreline Master Program in 1998, established a Citizens Advisory Panel for initial policy and regulation guidance, prepared background studies and used consultant services to prepare technical documents; and

WHEREAS, the City renewed and continued its updating of the Shoreline Master Program in 2008; and

WHEREAS, an environmental checklist was prepared for the staff draft Shoreline Master Program update, accompanied by a draft "Cumulative Impacts Analysis," an "Inventory and Characterization Report" and draft "Restoration Plan," and a Determination of Non-Significance was issued August 13, 2008; and

WHEREAS, the Planning Commission reviewed a staff draft Shoreline Master Program, held a public hearing on August 27, 2008, continued the hearing to October 9, 2008 to allow additional public input, revised the staff's draft Shoreline Master Program, and in February 2009 recommended the City Council adopt the Planning Commission's revised Shoreline Master Program; and

WHEREAS, the City Council held a public hearing on April 20, 2009, continued the hearing to July 13, 2009 and July 20, 2009 and conducted ten in-depth work sessions to review the Planning Commission Recommended Draft Shoreline Master Program; and
WHEREAS, pursuant to WAC 173-26-186, City staff has analyzed the cumulative impacts of the staff draft Shoreline Master Program, the Planning Commission Recommended Draft Shoreline Master Program, and the Council revisions to the Planning Commission Recommended Draft Shoreline Master Program and determined that the Shoreline Master Program and accompanying goals, policies and regulations will achieve no net loss of shoreline ecological functions, as compared to current “baseline” conditions; and

WHEREAS, pursuant to WAC 173-26-186, the proposed Shoreline Master Program contains policies and regulations to ensure no net loss of shoreline ecological functions, to address adverse cumulative impacts and to fairly allocate the burden of addressing cumulative impacts among proposed developments; and

WHEREAS, the City Council reviewed written and verbal testimony and approved revisions to the Planning Commission Recommended Draft Shoreline Master Program to address issues raised by interested parties, individual Councilmembers and the Department of Ecology; and

WHEREAS, throughout the process of updating the Shoreline Master Program, a variety of methods were used to notify the general public and property owners along the shoreline of the proposed Shoreline Master Program update, including mailings to property owners and tenants, notice boards along the Green River Trail, postings on the City’s web site, creation of a broadcast email group that received updates of the shoreline review process and articles in the City’s newsletter; and

WHEREAS, one of the purposes of the Comprehensive Plan is to protect the natural environment, including shoreline areas, because they are an essential contributor to the overall welfare of the City’s residents and businesses; and

WHEREAS, the revisions to the Comprehensive Plan Policies for the shoreline address changes in shoreline character and the need to further protect the shoreline resources for public safety, flood control and habitat improvement; and

WHEREAS, notice was provided to the Washington State Department of Commerce, pursuant to RCW 36.70A.106; and

WHEREAS, the City Council adopted several ordinances on December 14, 2009, adopting by reference the components of a new Shoreline Master Program; and

WHEREAS, those ordinances included Ordinance No. 2270, which amended certain Goals and Policies in the Shoreline Element of the Comprehensive Plan; and

WHEREAS, Section 3 of Ordinance No. 2270 provided that it would not be effective until the later of five days after passage and publication or approval by the Washington State Department of Ecology of the Shoreline Master Program in the form attached to Ordinance No. 2270 as Attachment A; and

WHEREAS, thereafter, City staff submitted Ordinance No. 2270 and the ordinances adopting the other components of the Shoreline Master Program to the Department of Ecology for review and approval; and
WHEREAS, the Department of Ecology accepted written public comments on the City's December 14, 2009 Shoreline Master Program, and held a public hearing on September 29, 2010; and

WHEREAS, the Department of Ecology reviewed the adopted Shoreline Master Program and required and recommended certain changes to the Program as a condition of final Department of Ecology approval; and

WHEREAS, notice of the review of DOE's required and recommended changes was provided via postings on the City's web site, e-mails to the broadcast e-mail group, and articles in the "Hazelnut" and "Tukwila Reporter;" and

WHEREAS, the City Council conducted a work session on May 11, 2011, to consider the DOE required and recommended changes, and held a public hearing on June 27, 2011 to receive public testimony on the DOE required and recommended changes; and

WHEREAS, the City Council concurs with and desires to adopt DOE's required changes and some of its recommended changes;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:

Section 1. Comprehensive Plan Policies Amended. Goals and Policies 5.1 - 5.12 of the Shoreline Element of the City of Tukwila's Comprehensive Land Use Plan are hereby amended to read as shown in "Attachment A" to this ordinance.

Section 2. Repealer. Ordinance No. 2270, including Goals and Policies 5.1 - 5.11 of the Shoreline Element of the City of Tukwila's Comprehensive Land Use Plan included as "Attachment A" thereto, is hereby repealed.

Section 3. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance or its application to any person or situation should be held to be invalid or unconstitutional for any reason by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance or its application to any other person or situation.

Section 4. Effective Date. This ordinance or a summary thereof shall be published in the official newspaper of the City, and shall take effect and be in full force upon approval of the Shoreline Master Program by the Washington State Department of Ecology and publication as provided by law.
PASSED BY THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, at a Regular Meeting thereof this 15th day of August, 2011.

ATTEST/AUTHENTICATED:

Christy O'Flaherty, CMC, City Clerk

Jim Haggerton, Mayor

APPROVED AS TO FORM BY:

Shelley M. Kerslake, City Attorney

Filed with the City Clerk: 8-10-11
Passed by the City Council: 8-15-11
Published: 8-18-11
Effective Date: per Section 4
Ordinance Number: 2343

Attachment A: City of Tukwila Comprehensive Plan Policies
On August 15, 2011 the City Council of the City of Tukwila, Washington, adopted the following ordinances the main points of which are summarized by title as follows:

**Ordinance 2344:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, REPEALING ORDNANCE NO. 2269; REPEALING 1995 SHORELINE MASTER PROGRAM; APPROVING AND ADOPTING A NEW SHORELINE MASTER PROGRAM UPDATE FOR THE CITY OF TUKWILA TO INCORPORATE NEW STATE REQUIREMENTS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

**Ordinance 2345:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, REPEALING ORDNANCE NO. 2270; AMENDING THE SHORELINE ELEMENT OF THE CITY’S COMPREHENSIVE LAND USE PLAN TO INCORPORATE POLICIES THAT REFLECT NEW STATE REQUIREMENTS FOR AREAS SUBJECT TO SHORELINE JURISDICTION; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

**Ordinance 2346:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, AMENDING REQUIREMENTS FOR SHORELINE REGULATIONS CODIFIED AT TUKWILA MUNICIPAL CODE CHAPTER 18.44, “SHORELINE OVERLAY,” TO INCORPORATE NEW STATE REQUIREMENTS; REPEALING ORDNANCE 2271; REPEALING ORDNANCE NOS. 1796 §3 (PART), 1775 §2, AND 1758 §1 (PART), AS CODIFIED AT TUKWILA MUNICIPAL CODE CHAPTER 18.44, “SHORELINE OVERLAY”; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

**Ordinance 2347:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, REPEALING ORDNANCE NO. 2272; AMENDING ORDNANCE NO. 1758 §1 (PART); ADOPTING AND AMENDING DEFINITIONS FOR SHORELINE REGULATIONS, AS CODIFIED IN CHAPTER 18.06 OF THE TUKWILA MUNICIPAL CODE, TO INCORPORATE NEW STATE REQUIREMENTS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

**Ordinance 2348:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, ADOPTING A 12-MONTH MORATORIUM WITHIN THE CITY OF TUKWILA ON THE ESTABLISHMENT, LOCATION, OPERATION, LICENSING, MAINTENANCE OR CONTINUATION OF MEDICAL CANNABIS COLLECTIVE GARDENS OR DISPENSARIES, ASSERTED TO BE AUTHORIZED OR ACTUALLY AUTHORIZED UNDER E2SSB 5073, CHAPTER 181, LAWS OF 2011, CHAPTER 69.51A REVISED CODE OF WASHINGTON, OR ANY OTHER LAWS OF THE STATE OF WASHINGTON; SETTING A DATE FOR A PUBLIC HEARING ON THE MORATORIUM; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY AND ESTABLISHING AN EFFECTIVE DATE.

The full text of these ordinances will be provided upon request.

Christy O’Flaherty, CMC, City Clerk

Published Seattle Times: August 18, 2011
ATTACHMENT A
City of Tukwila Comprehensive Plan Policies
Attachment to Ordinance No. 2345

5.1 Shoreline Environment Designations

Goal: Shoreline environment designations that meet Washington State Shoreline Management Act requirements, and reflect local conditions and Tukwila's long-term vision for its shoreline. The shoreline jurisdiction generally extends for 200 feet on either side of the Ordinary High Water mark, consistent with the Washington State Shoreline Management Act. In order to implement this goal, the Shoreline Master Program (SMP) proposes four Environment Designations: Shoreline Residential, Urban Conservancy, High Intensity, and Shoreline Aquatic Environment (as detailed in the Shoreline Environment Section) that comply with the Washington State Shoreline Management Act and function well for the City.

Policies:

- Policy 5.1.1 — Shoreline Residential Environment. In the Shoreline Residential Environment, priority shall be given to the following:
  - Uses that preserve or restore the natural character of the shoreline or promote preservation of vegetation, open space, flood plain or sensitive area lands.
  - Development that is compatible with the natural and biological limitations of the land and water and that will not require extensive alteration of the shoreline or new "hard" structural shoreline stabilization. Where possible the removal of bulkheads, revetments, levees or other "hard" structural shoreline stabilization is required. Hard structural shoreline stabilization may be replaced with alternative bioengineered bank stabilization.
  - On publicly-owned property, water-dependent or water-related recreational activities that are compatible with the character of the shoreline residential areas.
  - Maintenance of existing single-family residential development patterns and public open space and recreation uses.
  - Residential and recreational development that promotes vegetation conservation and enhancement, sensitive areas protection, and maintenance of water quality to assure no net loss of shoreline ecological functions.
  - Residential and recreational development that contributes to the restoration of ecological functions over time in areas where ecological degradation has occurred.
• Policy 5.1.2 — Urban Conservancy Environment: In the Urban Conservancy Environment priority shall be given to the following:
  ○ Development that promotes vegetation conservation and enhancement, sensitive areas protection, and preservation of water quality to assure no net loss of shoreline ecological functions.
  ○ Water enjoyment uses.
  ○ Uses that remove shoreline armoring, unless required for a shoreline dependent use, and uses that prevent and/or minimize flood damage.
  ○ Uses that preserve or restore shoreline ecological functions provided by vegetation, open space, flood plain or sensitive area lands.
  ○ Uses that minimize interference with navigation and flood control, consider impacts to public views, and allow for the safe, unobstructed passage of fish and wildlife, particularly those species dependent on migration.
  ○ Uses that provide public access and public recreation whenever feasible and when ecological impacts can be mitigated.
  ○ Development that is compatible with the natural and biological limitations of the land and water that do not require extensive alteration of the shoreline or new shoreline stabilization, except for restoration projects.
  ○ Enhancement and restoration of ecological functions.
  ○ Redevelopment of underutilized areas and development of commercial and industrial activities where shoreline impacts are minimized and where there is no net loss of shoreline functions.

• Policy 5.1.3 — High Intensity Shoreline Environment: In the High Intensity Environment, priority shall be given to the following:
  ○ Water dependent commercial and industrial uses.
  ○ Development that promotes vegetation conservation and enhancement, sensitive areas protection, and preservation of water quality to assure no net loss of shoreline ecological functions.
  ○ Uses that remove shoreline armoring, unless required for a shoreline dependent use, and uses that prevent and/or minimize flood damage.
  ○ Uses that preserve or restore shoreline ecological functions provided by vegetation, open space, flood plain or sensitive area lands.
  ○ Uses that minimize interference with navigation and flood control, consider impacts to public views, and allow for the safe, unobstructed passage of fish and wildlife, particularly those species dependent on migration.
  ○ Uses that provide public access and public recreation whenever feasible and when ecological impacts can be mitigated.
Development that is compatible with the natural and biological limitations of the land and water that do not require extensive alteration of the shoreline or new shoreline stabilization, except for restoration projects.

- Enhancement and restoration of ecological functions.
- Redevelopment of underutilized areas and development of intensive commercial and industrial activities where shoreline impacts are minimized and where there is no net loss of shoreline functions.

- **Policy 5.1.4 — Shoreline Aquatic Environment:** In the Shoreline Aquatic Environment, priority shall be given to the following:
  - Uses that preserve or restore the natural character of the shoreline or promote preservation of vegetation, open space, flood plain or sensitive area lands.
  - Water dependent uses.
  - Uses that remove shoreline armoring, unless required for a shoreline dependent use, and uses that prevent and/or minimize flood damage.
  - Uses that minimize interference with navigation and flood control, consider impacts to public views, and allow for the safe, unobstructed passage of fish and wildlife, particularly those species dependent on migration.
  - Uses that provide public access and public recreation whenever feasible and when ecological impacts can be mitigated.
  - Development that is compatible with the natural and biological limitations of the land and water that do not require extensive alteration of the shoreline or new shoreline stabilization, except for restoration projects.
  - Enhancement and restoration of ecological functions.
  - Uses compatible with the adjoining shoreline environments.

### 5.2 Shoreline Planning and Management

**Goal:** Expanded value of the river as a community and regional resource through regional coordination of shoreline management programs and through programs that foster river appreciation and awareness, involving partnerships among businesses, schools, government and community organizations.

**Policies:**

- **Policy 5.2.1 —** Coordinate shoreline planning and management activities with other local jurisdictions and their plans such as the WRIA 9 Salmon Habitat Plan and the King County Flood Hazard Management Plan to establish region-wide consistency in addressing river issues with regional implications, such as economic development, public access, wildlife habitat, water quality control and flood control.
Policy 5.2.2 — Promote river stewardship and increase river awareness through actions that further shoreline goals, such as educational programs, community activities, and partnerships with Tukwila residents, businesses, schools, government, and community organizations.

Policy 5.2.3 — Promote and participate in the implementation of the Watershed Resource Inventory Area (WRIA) 9 Plan, including supporting the recommended projects located in Tukwila to improve the habitat functions of the Green/Duwamish River, as well as the Plan policies and goals.

**Implementation Strategies:**
- WRIA 9 Salmon Habitat Plan
- Tukwila Shoreline Master Program Restoration Plan
- King County Flood Hazard Management Plan

### 5.3 Land Development Use and Economic Vitality

**Goal:** Development along the shoreline that fosters the economic vitality of Tukwila while preserving the long-term benefits of the river.

**Policies:**
- **Policy 5.3.1** — Implement Shoreline Design Guidelines to:
  - Encourage design that views the river as an amenity.
  - Guide the design of multiple shoreline uses.
  - Establish techniques for increasing multiple shoreline use.
  - Prioritize locations for use.
  - Encourage removal of invasive species with nonchemical methods and maintenance of native planted vegetation to minimize the presence of invasive species.
- **Policy 5.3.2** — Design and locate all shoreline development to minimize impacts on areas identified as important for other river uses, such as wildlife and aquatic habitat, river vegetation, public access and recreation, historical resource and flood control.
- **Policy 5.3.3** — When no other feasible alternative exists, allow structures to be placed in the water, or structural reinforcement of the riverbank, only when this provides a significant, long-term public benefit, does not interfere with navigation or flood management, does not cause a loss of shoreline function or is essential to a water-dependent use.
- **Policy 5.3.4** — Prohibit the construction of new flood control facilities unless constructed to incorporate habitat restoration features and work to remove existing shoreline armoring—where possible—to restore habitat functions.
- **Policy 5.3.5** — Recognize and promote the river’s contribution to the economic vitality of Tukwila, as a valuable amenity for existing and future businesses which depend on or benefit from a shoreline location.
Policy 5.3.6 — Ensure that shoreline development does not diminish the commercial navigability of the river.

Policy 5.3.7 — Tukwila Urban Center Development Policy: Design and locate shoreline development in the Tukwila Urban Center to encourage water enjoyment uses that:
  - Provide for shoreline multiple uses that are consistent with the underlying zoning.
  - Provide additional benefits, such as riverbank restoration, fishing piers, non-motorized boat launches, river views, or interpretive signs.
  - Support public access to and along the shoreline.
  - Provide water-enjoyment uses as transitions between the river and non-water dependent uses.
  - Encourage efficient use of land, through such techniques as clustering, mixed-use projects, cooperative parking or parking located under principal structures, and shared utility and access corridors.
  - Ensure that new development and re-development in the Urban Center acknowledges the goal of a continuous street façade along Christensen Road and the riverfront and locates parking facilities to the interior of the lot.

Implementation Strategies for Policy 5.3.7:
  - Shoreline Design Guidelines
  - Shoreline Development Standards
  - Tukwila Urban Center Plan

MIC Development Policy 5.3.8 — Ensure that non-water dependent shoreline development in the MIC provides for shoreline multiple uses to the extent that site security and the success of industrial operations are not jeopardized; ensures no net loss of shoreline function and provides adequate mitigation for the loss of shoreline multiple use opportunities.

MIC Development Policy 5.3.9 — Allow opportunities for commercial and recreational marinas to locate in Tukwila downstream of the turning basin, where compatible with existing and future navigability and existing and future ecological restoration projects.

Policy 5.3.10 — Development outside the Tukwila Urban Center or MIC: Design and locate shoreline development outside of the Tukwila Urban Center and the MIC to:
  - Provide for multiple shoreline uses.
  - Provide water-enjoyment uses as transitions between the river and non-water dependent uses.
  - Encourage efficient use of land through such techniques as clustering, mixed-use projects, cooperative parking or parking located under principal structures, and shared utility and access corridors.
  - Treat the river as an amenity in the design and location of the project.
5.4 Private Property Rights

Goal: Protect rights of property owners to reasonable use and enjoyment of private property, through appropriate location, access to, and design of shoreline uses.

Policies:

- Policy 5.4.1 — Design, locate and manage shoreline uses in a manner that maintains reasonable use and enjoyment of private property.
- Policy 5.4.2 — Design and locate public access in a way that is appropriate for the site, depending on site conditions and private property concerns.
- Policy 5.4.3 — Special sensitivity is required for residential property; therefore, all single-family residential development of four or fewer single-family residential lots is excluded from requirements to provide private or public access. Single family property owners are not exempt from the responsibility to improve the habitat value of the shoreline environment.
- Policy 5.4.4 — Maintain flexibility in methods of obtaining public access, to allow for different site conditions and private property concerns that might conflict with public access, such as privacy, safety, and security.
- Policy 5.4.5 — Obtain additional easement area to permit the improvement of flood control and river habitat by setting back levees or removing revetments and other hard shoreline armoring and replacing with more habitat-friendly flood control levees or other shoreline treatment.

5.5 Shoreline Design Quality

Goal: Enhanced identity of the river as a unique community asset through high quality development and public activities that reflect Tukwila’s history and sense of community pride.

Policies:

- Policy 5.5.1 — Require that shoreline development outside of the MIC:
  - Ensures no net loss of shoreline function.
  - Is designed to be consistent with Tukwila Shoreline Design Guidelines.
  - Reflects principles of high quality design, in such areas as site planning, architecture and landscaping.
  - Includes setbacks, bulk, height, density, landscape buffers and provisions for open space that enhance the shoreline environment.

Implementation Strategies for Policy 5.5.1:

- Shoreline Design Guidelines
- Shoreline development standards
- Tukwila Urban Center Plan
Policy 5.5.2 — Require that shoreline development in the MIC:
- Is designed to be consistent with Tukwila Shoreline Design Guidelines.
- Maintains or enhances the existing visual quality along the river.
- Provides trees and other landscaping to buffer industrial uses that are incompatible with other river uses.
- Provides amenities that enhance enjoyment of the river by employees.

**Implementation Strategies for Policy 5.5.2:**
- Shoreline Design Guidelines
- Shoreline development standards

5.6 **Access and Recreational Use**

**Goal:** Increase the amount and diversity of opportunities for public recreation and access to and along the river, including visual and cultural access, access to the water's edge, opportunities for small boat navigation and access, and connections to other neighborhoods, consistent with the shoreline character.

**Policies:**
- **Policy 5.6.1** — Retain and improve areas identified as important in the network of public access to the river, including cross-town connections, former railroad right-of-ways and unimproved street-end right-of-ways, historic sites, unique natural features or other areas valuable for their interpretive potential.
- **Policy 5.6.2** — Maintain existing parks along the shoreline and acquire additional park land to increase access and recreation opportunities.
- **Policy 5.6.3** — Incorporate river access requirements to guide the design, location and management of shoreline public access in short plats over 4 lots and all subdivisions, as well as multi-family, commercial and industrial development; to identify types of access appropriate and feasible for various site conditions and locations; and to establish strategies, funding sources and priorities for acquisition and enhancement of shoreline public access.

**Implementation Strategies for Policies 5.6.1 - 5.6.3:**
- Shoreline Design Guidelines
- Shoreline access guidelines
- Shoreline development standards
- Walk and Roll Plan
- Parks and Open Space Plan

- **Policy 5.6.4** — Design, locate and manage public access for diverse types and variable levels of intensity in order to minimize impacts on vulnerable features of the natural environment and to minimize conflicts with private property uses.
• Policy 5.6.5 — Where shoreline development provides public access areas, reserve such areas for use by the public through the means most appropriate for the type, scale and impacts of the development, such as dedication, donation or sale of an easement or right-of-way to the City.

• Policy 5.6.6 — Support the implementation of the King County Green River Trail, per the existing King County Green River Trail Master Plan, as well as pedestrian/bicycle connections with the Trail from properties on the opposite bank and the expansion of this trail where appropriate.

Policies for Development outside MIC:

• Policy 5.6.7 — Require subdivisions, multi-family residential uses and commercial and industrial uses along the shoreline to provide a trail for public access along the river in areas identified for trail connections, consistent with the King County Green River Trail Master Plan, Shoreline Master Program or any other approved access plan.

Implementation Strategies for Policy 5.6.7:
  ▫ King County Green River Trail Master Plan
  ▫ Shoreline public access standards
  ▫ Walk and Roll Plan
  ▫ Parks and Open Space Plan

• Policy 5.6.8 — Where shoreline public access is provided, ensure it is designed to be safe and convenient and includes access amenities such as benches, drinking fountains, public parking areas, handicapped access, and appropriate lighting, consistent with the shoreline access guidelines.

Implementation Strategies for Policy 5.6.8:
  ▫ King County Green River Trail Master Plan
  ▫ Shoreline public access standards
  ▫ Walk and Roll Plan
  ▫ Parks and Open Space Plan

• Policy 5.6.9 — Except for single-family residential development of four or fewer single-family residential lots, shoreline development shall maintain and encourage views of the water from the shoreline and from upland area, through design of building height, bulk and modulation, and windows, breezeways and outdoor spaces.

Implementation Strategies:
  ▫ Shoreline Design Guidelines
Policy 5.6.10 — Public access improvements should be designed and constructed to:
- Look and “feel” welcoming to the public.
- Connect to public areas, street ends, and other pedestrian or public throughfares.
- Enhance the character of Tukwila.
- Avoid conflicts with water-dependent uses.
- Provide for public safety and minimize impacts to private property and individual privacy and security.
- Require a low level of operation and maintenance.
- Ensure that construction (i.e. structures and access pathways) incorporates environmentally sensitive design and materials (e.g., non-toxic, natural materials).

Policy 5.6.11 — Improve pedestrian connections between the river, Green River Trail and the Urban Center’s commercial, office and residential uses.

Policies for Development in MIC:
- Policy 5.6.12 — For MIC properties included in the King County Green River Trail Master Plan or other approved access plan, require shoreline development to provide a trail for public access along the river.
- Policy 5.6.13 — Where shoreline public access is provided, ensure it is designed to be safe and convenient and includes access amenities such as benches, drinking fountains, public parking areas, handicapped access and appropriate lighting, consistent with the shoreline access guidelines.
- Policy 5.6.14 — For MIC properties not included in the King County Green River Trail Plan, require shoreline development to provide public access or a private natural area in lieu of public access, or otherwise mitigate the loss of public access.

Implementation Strategies for Policies 5.6.12 – 5.6.14:
- Shoreline Design Guidelines
- Shoreline access guidelines
- Walk and Roll Plan
- Parks and Open Space Plan

5.7 Transportation within the Shoreline Jurisdiction

Goal: Safe corridors and amenities for pedestrians, cyclists and users of public transportation, allowing more citizens to access and enjoy the river.

Policies:
- Policy 5.7.1 — Design and locate transportation uses within the shoreline jurisdiction to be compatible with shoreline vegetation or other habitat features, turn-outs or parking areas for public access, bio-filtration swales to protect water quality, public art or interpretive signs.
Policy 5.7.2 — Ensure the transportation uses within the shoreline jurisdiction and within those corridors identified as river cross-connections provide safe, convenient and attractive pedestrian, bicycle and boater access and facilities for public transportation.

Policy 5.7.3 — Minimize transportation impacts to the natural environment (such as air, noise, odor or water pollution) and enhance the natural environment wherever possible through planting trees and other habitat features.

Policy 5.7.4 — Encourage maintenance of the river’s navigability up to the turning basin, where this achieves a greater public interest and a balance between costs and benefits to the broader community and impacts to the habitat functions of the river, in recognition of the historical significance of navigation and its importance to the economic vitality of water-dependent uses and the MIC.

5.8 Historical Resource Use and Archaeological Protection

Goal: Recognition of the river’s contribution to Tukwila history and community identity through identification, enhancement, restoration, and protection of sites with historic and cultural value and through development of interpretive and educational programs.

Policies:

Policy 5.8.1 — Ensure that shoreline development reflects the river’s important role in Tukwila’s history and that long-term public use of the river as an historical resource is protected by providing for the identification, protection and interpretation of unique historic and archaeological features.

Policy 5.8.2 — Ensure that public shoreline development reflects the river’s natural features and community traditions.

Policy 5.8.3 — Ensure that archaeological artifacts and sites are protected when development takes place in the shoreline jurisdiction.

5.9 Natural Environment and Habitat Use

Goal: Restored, enhanced, and protected natural environment resources along the river, including trees, wildlife habitat and features with value for long-term public, scientific and educational uses.

Policies:

Policy 5.9.1 — Ensure that shoreline development results in no net loss of shoreline ecological function, minimizes impacts on wildlife and that significant vegetation, sandbars, wetlands, watercourses, and other critical areas identified as important for habitat are maintained through the proper location, design, construction, and management of all shoreline uses and activities.

Policy 5.9.2 — Ensure that shoreline development and activities protect riverbank vegetation and, where feasible, restore degraded riverbanks in accordance with the vegetation management provisions of the Shoreline Master Program, in order to minimize and compensate for impacts to fish and wildlife habitat.
• Policy 5.9.3 — Mitigate unavoidable disturbances of significant vegetation or habitat through replacement of habitat and provision of interpretive features consistent with the shoreline access guidelines.

• Policy 5.9.4 — Support relief from certain Shoreline Master Program requirements for properties affected by habitat restoration projects that result in the movement of the ordinary high water mark.

• Policy 5.9.5 — Support establishing the Transition Zone as the priority area for habitat restoration projects given its importance for subtidal and intertidal habitats to allow salmonids to gradually adjust to the change between fresh and saltwater conditions.

5.10 Water Quality, Surface Water and Flood Control Use

Goal: Improved water quality and quantity control programs affecting the Green/Duwamish River that improve the river’s water quality, provide habitat for fish and wildlife, protect public health and safety, and enhance public enjoyment of the river.

Policies:

• Policy 5.10.1 — Design, locate, and manage shoreline development including streets, flood control projects, surface water drainage and sewer systems, clearing and grading activities, and landscaping in a manner that minimizes opportunities for pollutants to enter the river, provides erosion control and otherwise protects water quality.

• Policy 5.10.2 — Design, manage, and mitigate flood control uses to minimize impacts to other shoreline uses such as trees and riverbank vegetation, public access and recreation, and fish habitat; and set them back from the river, where feasible for the project, with land areas between the water and the levee set aside as open space for public recreation or wildlife habitat.

• Policy 5.10.3 — Consistent with project feasibility, mitigate unavoidable negative impacts on other shoreline uses owing to flood control uses through such measures as restoration of trees and native riverbank vegetation, provision of public access to the water’s edge, interpretive features, or other mitigation of loss of opportunities for shoreline multiple uses.

• Policy 5.10.4 — Obtain additional easements, where needed, from property owners to set back levees to improve flood control and shoreline habitat functions. Where possible, as redevelopment occurs, replace bulkheads, revetments or other hard bank stabilization with more natural levees, riverbanks or other shoreline treatments to improve flood control, ecological functions and habitat.

Implementation Strategies:

- Increase levee setback to incorporate vegetated mid-slope benches
- Shoreline access guidelines
- Surface Water Management Plan
- WRIA 9 Plan water quality policies
- Shoreline Restoration Plan
5.11 Public Health, Safety and Welfare, Comprehensive Plan

**Goal:** Shoreline uses that do not endanger public health, safety and welfare, or the capacity of the river to provide long-term benefits and resources to the community.

**Policies:**
- Policy 5.11.1 — Design, locate, and manage shoreline uses, such as capital improvement projects and private development, in a manner that does not endanger public health, safety and welfare, and enhances the capacity of the river to provide long-term flood protection, habitat and other benefits and resources to the community and the environment.

5.12 Shoreline Use Preferences

**Goal:** In developing and implementing its Shoreline Master Program for shorelines of statewide significance, including the Green/Duwamish River, Tukwila shall give preference to uses—in the following order of preference—that:

1. Recognize and protect the statewide interest over local interest.
2. Preserve the natural character of the shoreline.
3. Result in long-term over short-term benefit.
4. Protect the resources and ecology of the shorelines.
5. Increase public access to publicly owned areas of the shorelines.
6. Increase recreational opportunities for the public in the shoreline.
7. Provide for any other element as defined in RCW 90.58.100 deemed appropriate or necessary.