CHAPTER 4  SHORELINE DESIGNATIONS

4.1 Introduction

The intent of assigning shoreline designations to specific geographies is to encourage development that will enhance the present or desired character of the shoreline. To accomplish this, segments of shoreline are given a shoreline designation based on existing development patterns, natural capabilities and limitations, and the vision of the County. The shoreline designations are intended to work in conjunction with the comprehensive plan and zoning.

Management policies are an integral part of the shoreline designations and are used for determining uses and activities that can be permitted in each shoreline designation. Development regulations specify how and where permitted development can take place within each shoreline designation and govern height and setback.

4.2 Authority

1. Local governments are required under the Shoreline Management Act of 1971 (RCW 90.58) and the Shoreline Master Program Guidelines (WAC 173-26) to develop and assign a land use categorization system known as “shoreline environment designations” for shoreline areas as a basis for effective shoreline master programs. For purposes of this Program “shoreline designation” is used in place of the term “shoreline environment designation” referred to in WAC 173-26.

2. The method for local government to account for different shoreline conditions is to assign a shoreline designation to each distinct shoreline section in its jurisdiction. The shoreline designation assignments provide the framework for implementing shoreline policies and regulatory measures for environmental protection, use provisions, and other regulatory measures specific to each shoreline designation.

4.3 Shoreline Designations

The County classification system consists of shoreline designations that are consistent with and implement the Act (RCW 90.58), the Shoreline Master Program Guidelines (WAC 173-26) and the Clark County Comprehensive Growth Management Plan. These designations have been assigned consistent with the corresponding criteria provided for each shoreline designation. In delineating shoreline designations, the County aims to ensure that existing shoreline ecological functions are protected with the proposed pattern and intensity of development. Such designations should be consistent with the policies for restoration of degraded shorelines. All the shoreline designations, even if they are not applied within the city limits or urban growth area are listed here to maintain consistency countywide (See Sections 4.4.5 and 6.2), and are defined in the following sections:
Aquatic; Natural; Urban Conservancy; Medium Intensity; High Intensity; Rural Conservancy – Residential; and Rural Conservancy – Resource Lands. All shoreline designations can be found in county shoreline jurisdiction with the exception of High Intensity.

### 4.3.1 Aquatic Shoreline Designation

#### 4.3.1.1 Purpose

The purpose of the “Aquatic” shoreline designation is to protect, restore, and manage the unique characteristics and resources of the areas waterward of the ordinary high-water mark (OHWM).

#### 4.3.1.2 Designation Criteria

An Aquatic shoreline designation is assigned to lands and waters waterward of the ordinary high-water mark.

#### 4.3.1.3 Areas Designated

The Aquatic shoreline designation applies to areas as shown on a copy of the Official Shoreline Map in Appendix A.

#### 4.3.1.4 Management Policies

In addition to the other applicable policies and regulations of this Program the following management policies shall apply:

1. New over-water structures should be allowed only for water-dependent uses, public access, recreation, or ecological restoration.

2. Shoreline uses and modifications should be designed and managed to prevent degradation of water quality and natural hydrographic conditions.

3. In-water uses should be allowed where impacts can be mitigated to ensure no net loss of shoreline ecological functions. Permitted in-water uses must be managed
to avoid impacts to shoreline ecological functions. Unavoidable impacts must be minimized and mitigated.

4. On navigable waters or their beds, all uses and developments should be located and designed to:
   a. minimize interference with surface navigation;
   b. consider impacts to public views; and
   c. allow for the safe, unobstructed passage of fish and wildlife, particularly species dependent on migration.

5. Multiple or shared use of over-water and water access facilities should be encouraged to reduce the impacts of shoreline development and increase effective use of water resources.

6. Structures and activities permitted should be related in size, form, design, and intensity of use to those permitted in the immediately adjacent upland area. The size of new over-water structures should be limited to the minimum necessary to support the structure's intended use.

7. Natural light should be allowed to penetrate to the extent necessary to discourage salmonid predation and to support nearshore habitat unless other illumination is required by state or federal agencies.

8. Aquaculture practices should be encouraged in those waters and beds most suitable for such use. Aquaculture should be discouraged where it would adversely affect the strength or viability of native stocks or unreasonably interfere with navigation.

9. Shoreline uses, development, activities, and modifications in the Aquatic shoreline designation requiring use of adjacent landside property should be in a shoreline designation that allows that use, development, activity or modification.

4.3.2 Natural Shoreline Designation

4.3.2.1 Purpose

The purpose of the “Natural” shoreline designation is to protect those shoreline areas that are relatively free of human influence or that include intact or minimally degraded shoreline ecological functions intolerant of human use. These systems require that only very low-intensity uses be allowed in order to maintain the ecological functions and ecosystem-wide processes. Consistent with the policies of the designation, restoration of degraded shorelines within this environment is appropriate.
4.3.2.2 Designation Criteria

The following criteria should be considered in assigning a Natural shoreline designation:

1. The shoreline ecological functions are substantially intact and have a high opportunity for preservation and low opportunity for restoration;
2. The shoreline is generally in public or conservancy ownership or under covenant, easement, or a conservation tax program;
3. The shoreline contains little or no development, or is planned for development that would have minimal adverse impacts to ecological functions or risk to human safety;
4. There are low-intensity agricultural uses, and no active forestry or mining uses;
5. The shoreline has a high potential for low-impact or passive or public recreation and is planned for park or open space uses as part of the comprehensive plan; or
6. The shoreline is considered to represent ecosystems and geologic types that have high scientific and educational value.

4.3.2.3 Areas Designated

The Natural shoreline designation applies to areas as shown on a copy of the Official Shoreline Map in Appendix A.

4.3.2.4 Management Policies

In addition to the other applicable policies and regulations of this Program the following management policies shall apply:

1. Any use that would substantially degrade shoreline ecological functions or natural character of the shoreline area should not be allowed.
2. Scientific, historical, cultural, educational research uses, and low-impact, passive recreational uses may be allowed provided that ecological functions remain intact.
3. Vegetation should remain undisturbed except for removal of noxious vegetation and invasive species. Proposed subdivision or lot line adjustments, new development or significant vegetation removal that would reduce the capability of vegetation to perform normal ecological functions should not be allowed.
4. Uses that would deplete physical or biological resources or impair views to or from the shoreline over time should be prohibited.
5. Only physical alterations that serve to protect a significant or unique physical, biological or visual shoreline feature that might otherwise be degraded or
destroyed; or those alterations that are the minimum necessary to support a permitted use should be allowed.

6. Only the following types of signs should be considered for location in the shorelines: interpretive, directional, navigational, regulatory, and public safety.

4.3.3 Urban Conservancy Shoreline Designation

4.3.3.1 Purpose

The purpose of the “Urban Conservancy” shoreline designation is to protect and restore shoreline ecological functions of open space, floodplains, and other sensitive lands, where they exist in urban and developed settings, while allowing a variety of compatible uses.

4.3.3.2 Designation Criteria

The following criteria are used to consider an Urban Conservancy shoreline designation:

1. The shoreline is located within incorporated municipalities and designated urban growth areas;

2. The shoreline has moderate to high ecological function with moderate to high opportunity for preservation and low to moderate opportunity for restoration, or low to moderate ecological function with moderate to high opportunity for restoration;

3. The shoreline has open space or critical areas that should not be more intensively developed;

4. The shoreline is not highly developed and is likely in recreational use. The shoreline has the potential for development that is compatible with ecological restoration. The shoreline is planned for a park, as open space, or for a Master Planned Resort; or

5. The shoreline has moderate to high potential for low-impact, passive or active water-oriented recreation where shoreline ecological functions can be maintained or restored.

4.3.3.3 Areas Designated

The Urban Conservancy shoreline designation applies to areas as shown on a copy of the Official Shoreline Map in Appendix A.

4.3.3.4 Management Policies

In addition to the other applicable policies and regulations of this Program the following management policies shall apply:
1. Uses that preserve the natural character of the area or promote preservation of open space or critical areas either directly or over the long term should be the primary allowed uses. Uses that result in restoration of shoreline ecological functions should be allowed if the use is otherwise compatible with the purpose of the Urban Conservancy shoreline designation and the setting.

2. Single-family residential development shall ensure no net loss of shoreline ecological functions and preserve the existing character of the shoreline consistent with the purpose of this designation.

3. Encourage regulations that limit lot coverage, provide adequate setbacks from the shoreline, promote vegetation conservation, reduce the need for shoreline stabilization and maintain or improve water quality to ensure no net loss of shoreline ecological functions.

4. Public access and public recreation objectives should be implemented whenever feasible and when significant ecological impacts can be mitigated.

5. Thinning or removal of vegetation should be limited to that necessary to:
   a. remove noxious vegetation and invasive species;
   b. provide physical or visual access to the shoreline; or
   c. maintain or enhance an existing use consistent with critical areas protection and maintenance or enhancement of shoreline ecological functions.

6. Public access and public recreation facilities are a preferred use if they will not cause substantial ecological impacts and when restoration of ecological functions is incorporated.

7. Low-intensity water-oriented commercial uses may be permitted if compatible with surrounding uses.

4.3.4 Medium Intensity Shoreline Designation

4.3.4.1 Purpose

The purpose of the “Medium Intensity” shoreline designation is to accommodate primarily residential development and appurtenant structures, but to also allow other types of development that are consistent with this chapter. An additional purpose is to provide appropriate public access and recreational uses.

4.3.4.2 Designation Criteria

The following criteria are used to consider a Medium Intensity shoreline:
1. The shoreline is located within incorporated municipalities and designated urban growth areas;

2. The shoreline has low to moderate ecological function with low to moderate opportunity for restoration;

3. The shoreline contains mostly residential development at urban densities and does not contain resource industries (agriculture, forestry, mining);

4. The shoreline is planned or platted for residential uses in the comprehensive plan; or

5. The shoreline has low to moderate potential for low-impact, passive or active water-oriented recreation where ecological functions can be restored.

4.3.4.3 Areas Designated

The Medium Intensity shoreline designation applies to areas as shown on a copy of the Official Shoreline Map in Appendix A.

4.3.4.4 Management Policies

In addition to the other applicable policies and regulations of this Program the following management policies shall apply:

1. Encourage regulations that ensure no net loss of shoreline ecological functions as a result of new development such as limiting lot coverage, providing adequate setbacks from the shoreline, promoting vegetation conservation, reducing the need for shoreline stabilization and maintaining or improving water quality to ensure no net loss of ecological functions.

2. The scale and density of new uses and development should be compatible with sustaining shoreline ecological functions and processes, and the existing residential character of the area.

3. Public access and joint (rather than individual) use of recreational facilities should be promoted.

4. Access, utilities, and public services to serve proposed development within shorelines should be constructed outside shorelines to the extent feasible, and be the minimum necessary to adequately serve existing needs and planned future development.

5. Public or private outdoor recreation facilities should be provided with proposals for subdivision development and encouraged with all shoreline development if compatible with the character of the area. Priority should be given first to water-dependent and then to water-enjoyment recreation facilities.

6. Commercial development should be limited to water-oriented uses. Non-water-oriented commercial uses should only be allowed as part of mixed-use
developments where the primary use is residential and where there is a substantial
d Public benefit with respect to the goals and policies of this Program such as
providing public access or restoring degraded shorelines.

4.3.5 High Intensity Shoreline Designation

4.3.5.1 Purpose

The purpose of the “High Intensity” shoreline designation is to provide for high-intensity
water-oriented commercial, transportation, and industrial uses while protecting existing
shoreline ecological functions and restoring ecological functions in areas that have been
previously degraded.

4.3.5.2 Designation Criteria

The following criteria are used to consider a High Intensity shoreline designation:

1. The shoreline is located within incorporated municipalities and designated urban
growth areas;
2. The shoreline has low to moderate ecological function with low to moderate
opportunity for ecological restoration or preservation;
3. The shoreline contains mostly industrial, commercial, port facility, mixed-use, or
multi-family residential development at high urban densities and may contain
industries that are not designated agriculture, forestry, or mineral resource lands
in the comprehensive plan;
4. The shoreline may be or has been identified as part of a state or federal
environmental remediation program;
5. The shoreline is planned or platted for high intensity uses in the comprehensive
plan; or
6. The shoreline may support public passive or active water-oriented recreation
where ecological functions can be restored.

4.3.5.3 Areas Designated

The High Intensity shoreline designation applies to areas as shown on a copy of the
Official Shoreline Map in Appendix A.

4.3.5.4 Management Policies

In addition to the other applicable policies and regulations of this Program the following
management policies shall apply:

1. Encourage regulations that ensure no net loss of shoreline ecological functions as
a result of new development.
2. Promote infill and redevelopment in developed shoreline areas and encourage environmental remediation and restoration of the shoreline, where applicable with the goal of achieving full utilization of designated high-intensity shorelines.

3. Encourage the transition of uses from non-water-oriented to water-oriented uses.

4. Water-oriented uses are encouraged, however new non-water oriented uses may be allowed if that use has limited access to the shoreline and when included in a master plan or part of a mixed-use development.

4.3.6 Rural Conservancy – Residential Shoreline Designation

4.3.6.1 Purpose

The purpose of the “Rural Conservancy – Residential” shoreline designation is to protect shoreline ecological functions, conserve existing natural resources and valuable historic and cultural areas in order to provide for sustained resource use, achieve natural floodplain processes, and provide recreational opportunities. Examples of uses that are appropriate in a Rural Conservancy - Residential shoreline designation include low-impact, passive recreation uses, water-oriented commercial development, and low-intensity residential development.

4.3.6.2 Designation Criteria

The following criteria are used to consider a Rural Conservancy – Residential shoreline designation:

1. The shoreline is located outside of incorporated municipalities and designated urban growth areas;

2. The shoreline has moderate to high ecological function with moderate to high opportunity for preservation and low to moderate opportunity for restoration or low to moderate ecological function with moderate to high opportunity for restoration;

3. The shoreline is not highly developed and most development is low-density residential;

4. The shoreline is planned or platted Rural Center, Rural, or Master Planned Resort;

5. The shoreline has moderate to high potential for public, water-oriented recreation where ecological functions can be maintained or restored; or

6. The shoreline has high scientific or educational value or unique historic or cultural resources value.
4.3.6.3 Areas Designated

The Rural Conservancy – Residential shoreline designation applies to areas as shown on a copy of the Official Shoreline Map in Appendix A.

4.3.6.4 Management Policies

In addition to the other applicable policies and regulations of this Program the following management policies shall apply:

1. Uses in the Rural Conservancy – Residential shoreline designation should be limited to those that sustain the shoreline area's physical and biological resources and do not substantially degrade shoreline ecological functions or the rural or natural character of the shoreline area.

2. Residential development shall ensure no net loss of shoreline ecological functions and preserve the existing character of the shoreline consistent with the purpose of this designation.

3. Encourage regulations that limit lot coverage, provide adequate setbacks from the shoreline, promote vegetation conservation, reduce the need for shoreline stabilization and maintain or improve water quality to ensure no net loss of shoreline ecological functions.

4. Water-dependent and water-enjoyment recreation facilities that do not deplete the resource over time are preferred uses, provided significant adverse impacts to the shoreline are avoided and unavoidable impacts are minimized and mitigated.

5. Water-oriented commercial uses should be allowed in rural centers and Master Planned Resorts only.

6. Developments and uses that would substantially degrade or permanently deplete the biological resources of the area should not be allowed.

4.3.7 Rural Conservancy – Resource Lands Shoreline Designation

4.3.7.1 Purpose

The purpose of the “Rural Conservancy – Resource Lands” shoreline designation is to protect shoreline ecological functions, conserve existing natural resources and valuable historic and cultural areas in order to provide for sustained resource use, achieve natural floodplain processes, and provide recreational opportunities. Examples of uses that are appropriate in a Rural Conservancy – Resource Lands shoreline designation include low-impact outdoor recreation uses, timber harvesting on a sustained-yield basis, agricultural uses, and other natural resource-based uses.
**4.3.7.2 Designation Criteria**

The following criteria are used to consider a Rural Conservancy – Resource Lands shoreline designation:

1. The shoreline is located outside of incorporated municipalities and designated urban growth areas;

2. The shoreline has moderate to high ecological function with moderate to high opportunity for preservation and low to moderate opportunity for restoration or low to moderate ecological function with moderate to high opportunity for restoration;

3. The shoreline is not highly developed, but consists primarily of resource operations (agriculture, forestry, mining) and recreation, but may contain Master Planned Resorts;

4. The shoreline is planned or platted Rural Industrial, Forest, Agriculture, Agri-Wildlife, or has a surface mining overlay;

5. The shoreline has a moderate to high potential for low-intensity, passive water-oriented recreation where resource industry-related safety concerns are minimal or mitigated and ecological functions can be maintained or restored; or

6. The shoreline has moderate to high scientific or educational value or unique historic or cultural resources value.

**4.3.7.3 Areas Designated**

The Rural Conservancy – Resource Lands shoreline designation applies to areas as shown on a copy of the Official Shoreline Map in Appendix A.

**4.3.7.4 Management Policies**

In addition to the other applicable policies and regulations of this Program the following management policies shall apply:

1. Agriculture, commercial forestry, and mining should be allowed in Rural Conservancy – Resource Lands provided they are allowed in the underlying zoning designation, and adverse impacts to the shoreline are avoided and unavoidable impacts are minimized and mitigated.

2. Encourage regulations that ensure new shoreline uses, development, and activities to sustain the shoreline area's physical and biological resources, do not substantially degrade shoreline ecological functions or the rural or natural character of the shoreline area, and achieve no net loss of shoreline ecological functions.
3. Water-dependent and water-enjoyment recreation facilities that do not deplete the resource over time are preferred uses, provided adverse impacts to the shoreline are avoided and unavoidable impacts are minimized and mitigated.

4. Allow open space and recreational uses consistent with protection of shoreline ecological functions and personal safety considerations.

5. Only water-oriented commercial uses that support permitted uses should be allowed.

6. Residential development shall ensure no net loss of shoreline ecological functions and preserve the existing character of the shoreline consistent with the purpose of this designation.

4.4 **Official Shoreline Map**

4.4.1 **Map Established**

1. The location and extent of areas under the jurisdiction of this Program, and the boundaries of various shoreline designations affecting the lands and water of the County shall be as shown on the map entitled, “Official Shoreline Map, Clark County, Washington.” The official shoreline map and all the notations, references, amendments, and other information shown on the map are hereby made a part of this Program, as if such information set forth on the map were fully described herein.

2. In the event that new shoreline areas are discovered (including but not limited to, associated wetlands) that are not mapped and/or designated on the official shoreline map, these areas are automatically assigned an Urban Conservancy designation for lands within cities and urban growth areas, or Rural Conservancy – Residential if on lands outside urban growth areas until the shoreline can be re-designated through a Program amendment.

3. In the event of a mapping error, the county will rely upon common boundary descriptions and the criteria contained in RCW 90.58.030(2) and WAC 173-22 pertaining to determinations of shorelands, as amended, rather than the incorrect or outdated map.

4.4.2 **File Copies**

The Official Shoreline Map will be recorded with the Clark County Auditor’s office and kept in electronic format at the office of the Clark County Department of GIS and at Ecology. Unofficial copies of the map may be prepared for administrative purposes. To facilitate use of this Program an “unofficial copy” has been attached as Appendix A.
4.4.3 Map Amendments

The Official Shoreline Map is an integral part of this Program and may not be amended except upon approval by the County and Ecology, as provided under the Act.

4.4.4 Boundary Interpretation

If disagreement develops as to the exact location of a shoreline designation boundary line shown on the Official Shoreline Map, the following rules shall apply:

1. Boundaries indicated as approximately following lot, tract, or section lines shall be so construed;

2. Boundaries indicated as approximately following roads or railways shall be respectively construed to follow their centerlines;

3. Boundaries indicated as approximately parallel to or extensions of features indicated in (1) or (2) above shall be so construed.

4. Whenever existing physical features are inconsistent with boundaries on the Official Shoreline Map, the Shoreline Administrator shall interpret the boundaries with deference to actual conditions. Appeals of such interpretation may be filed according to the applicable appeal procedures described in Chapter 7, Administration and Enforcement.

4.4.5 Shoreline Designation Changes and Urban Growth Boundary Revisions

When a portion of shoreline jurisdiction is brought into or removed from an urban growth area, a new shoreline designation may need to be assigned. Shoreline designations shall be assigned in accordance with Table 4-1, Shoreline Designations for Urban/Rural Boundary Revisions. Where more than one designation could be appropriate according to Table 4-1, the shoreline designation criteria in this chapter shall be applied and the best-fitting shoreline designation assigned. Shoreline designation assignments shall occur concurrently with the annexation or other legislative action to remove a portion of shoreline jurisdiction from a city or urban growth area and to amend the shoreline map and shall be effective upon approval by Ecology (see Section 4.4.3).
## Table 4-1. Shoreline Designations for Urban¹/Rural² Boundary Revisions

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<th>SENDING Jurisdiction Shoreline Designation</th>
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<th>RECEIVING Jurisdiction Shoreline Designation(s)</th>
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¹Urban = City or Urban Growth Area  
²Rural = Unincorporated Clark County outside Urban Growth Areas