

Conducting a Comprehensive Shoreline Master Program Update

Phase 3 SMP Use and Modification Provisions

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Topics to Be Covered

- Background
- Past Practices...New Direction
- New Guidelines Standards
- Drafting Use and Modification Policies
- Drafting Regulations
- Preparing Matrices

Background

- Relationship to SMP Document:
 - Inventory and Characterization
 - Environment Designations
 - Policy and Regulations
- What is the Difference between Use and Modification?
 - USE:
 - MODIFICATION:



Shoreline Modifications

- Typically related to construction of a physical element
- Undertaken in support of or in preparation for a shoreline use; e.g.
 - fill (shoreline modification) required for a cargo terminal (industrial use)
 - dredging (shoreline modification)
 - to allow for a marina (boating facility use).



EXAMPLES:

Piers, Docks, Moorage Buoys, Boatlifts and Canopies Serving Attached, Stacked and Detached Units

Marinas and Moorage Facilities Associated with Commercial Uses

Shoreline Stabilization from Soft to Hard Measures

Breakwaters, Jetties, Rock Weirs, Groins

Dredging and Dredge Material Disposal

Land Surface Modification

Fill

Shoreline Habitat and Natural Systems

Enhancement Projects

Mods: Past Practice

Shoreline hardening for the purpose of:

- stopping erosion
- providing useful space (landfill!)
- providing access to piers/docks/loading platforms, etc.

Typical results:

- beach starvation & habitat degradation
- sediment impoundment, exacerbated erosion
- ground water impacts
- hydraulic impacts
- vegetation loss
- channel restriction

Mods: New Direction & Intent

- “Limit shoreline modifications in number and extent”
- Allow structural modifications only where necessary
- Assure modifications don’t cause loss of functions, “individually and cumulatively”
- Strong preference for:
 - Modification types with least impact on functions
 - When necessary, soft over hard armoring
- Special allowance for protection of water-dependent uses

Mod Types: Soft to Hard

- Vegetation enhancement
- Upland drainage control
- Biotechnical measures
- Anchor trees
- Beach enhancement
- Rock revetments (riprap)
- Gabions
- Concrete groins
- Retaining and bluff walls
- Bulkheads
- Seawalls

New Guidelines Mod standards

- Locate new uses and design plats to AVOID future stabilization at full build-out
- Geotech analysis required demonstrating need to protect “primary” structures
- Replacement structures allowed if:
 - need demonstrated
 - no waterward encroachment
 - removal of existing armoring preferred
- Allowance made for water-dependent uses
- Demonstrate non-structural methods are infeasible first
- Structural approaches not generally allowed, unless primary structure will be damaged within 3 years
- No net loss and mitigation required

Uses

- Specific common end-uses and types of development that occur within shoreline jurisdiction
 - Residential Uses
 - Commercial/industrial Uses
 - Recreational Uses
 - Transportation Facilities
 - Utilities



Drafting Use and Modification Policies

- How to Begin
 - Do you have existing policies?
 - Start with DOE Guidelines
 - Look at language in General Elements, Environment Designations, General Goals and Policies
- Important Time to Use Advisory Committee
- Clarify Language as Policies
 - Look to Similar Jurisdiction Examples

Drafting Regulations

- How to Begin
 - Do you have existing SMP Regulations?
 - How do they comply with new Guidelines?
 - Coordinate with Existing Zoning and Land Use Code
- Look to Similar Jurisdiction Examples



SMP Matrices

Generally, two types:

- a “Use” matrix
 - Uses allowed within each environment designation
 - Shoreline permits required (SDP, CUP)
- a “Bulk Standards” matrix
 - Buffers, setbacks,
 - Density, etc.
- Where are some of the “hot buttons”?

