



Existing development

Betty Renkor
Washington Department of Ecology
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WA Coastal Atlas photo

- Most existing development continues
- SMP needs nonconforming regulations
- No net loss must be addressed

Main themes



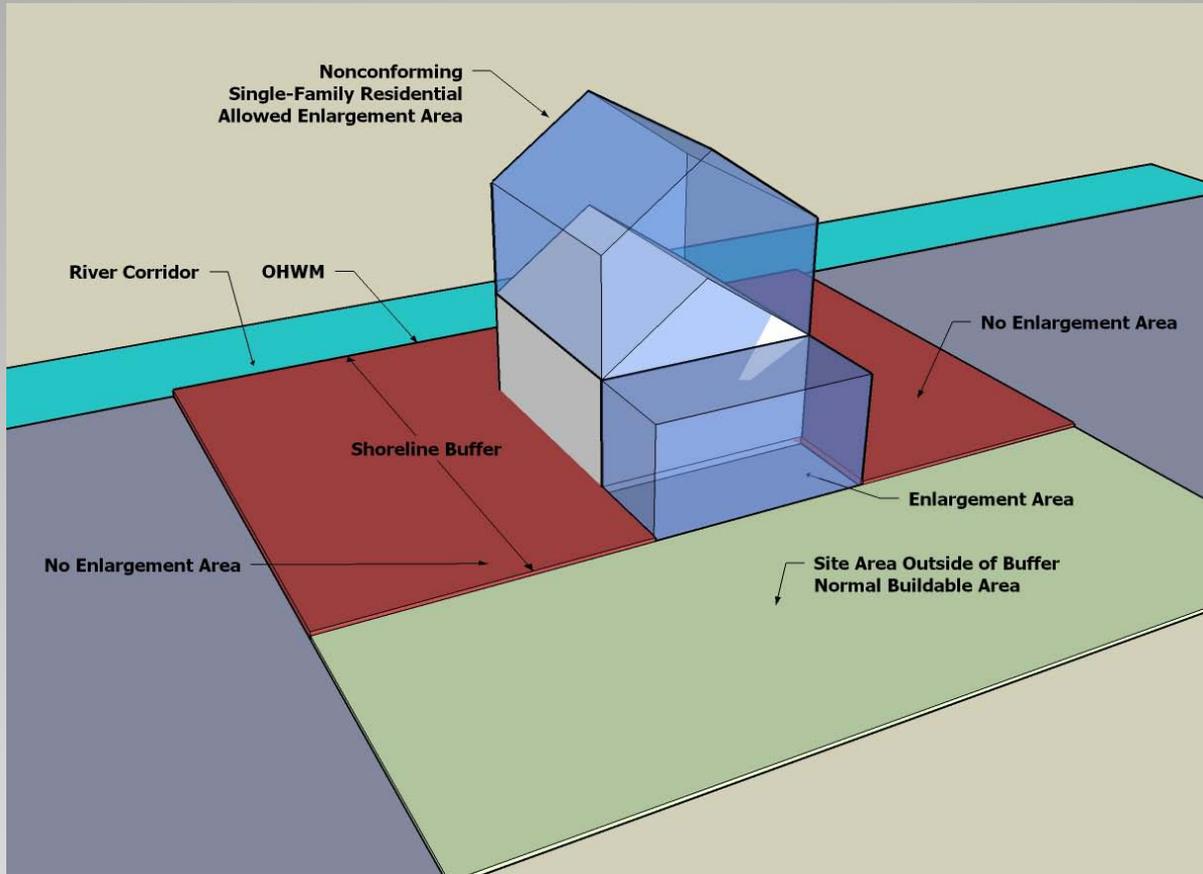
Take the bull by the horns!

- Case law and planning practice
- Clear and precise SMP language
- Specific provisions
- Vary from WAC



West Seattle house

Review



City of Spokane graphic

Options: Spokane



- Small lot provision
- Existing SFR's within 50 ft of building site
- Common setback and buffer lines
- 15 ft minimum buffer in all cases

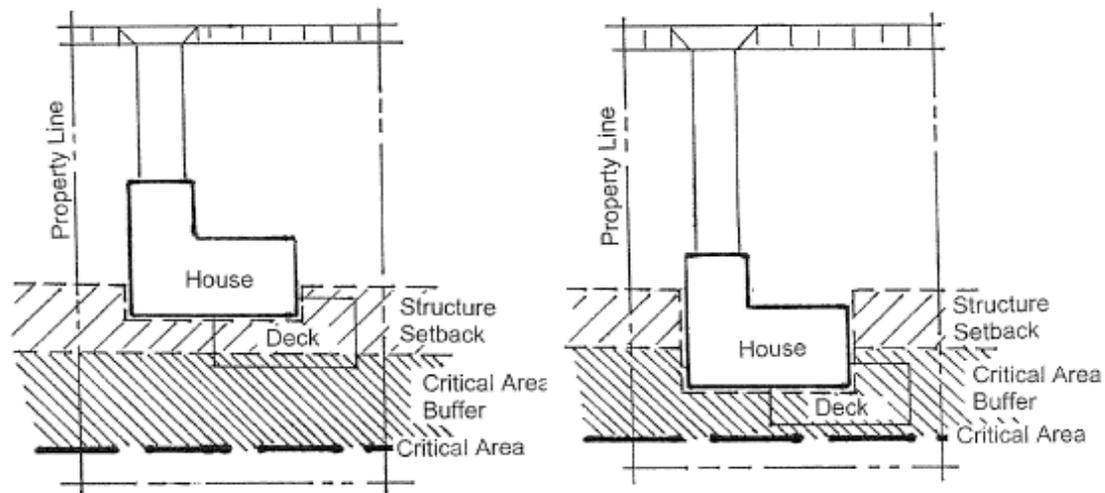
Options: Whatcom County

- Exclude footprint of primary structure from buffer
- All structures in shoreline jurisdiction are conforming

Nontraditional approaches

B. Buffer and Setback on Sites with Existing Primary Structure(s).

Where a primary structure legally established on a site prior to August 1, 2006 encroaches into the critical area buffer or structure setback established in subsection A, the critical area buffer and/or structure setback shall be modified to exclude the footprint of the existing primary structure. Expansion of any existing structure into the critical area buffer or critical area structure setback shall be allowed only pursuant to the provisions of LUC 20.25H.055 (single family primary structures) or LUC 20.25H.230 (all other primary structures).



Bellevue CAO



- Burién: Single-family homes, appurtenances are conforming to SMP

Draft SMP language



City of Tukwila photo

Tukwila:
Residential
structures &
uses are not
nonconforming

Draft SMP language

- Clear and precise SMP language
 - Expansion – where, how much?
 - Mitigation required?
 - Tree & vegetation retention or replacement?
 - Single-family residential only?
 - Appurtenances, too?
 - Specific environment designations?
 - Any buffers or setbacks?
 - CUP or variance required for expansion?
 - Abandoned structures?

Ecology wants to see

- Alterations...in limited instances when authorized, shall be given priority for:
 - Single family residences & appurtenant structures
 - Ports
 - Shoreline recreational uses
 - Industrial/commercial developments dependent on location on or use of shoreline
 - Opportunities for substantial numbers of people to enjoy shorelines

Consider SMA priority uses

- Will allowing conforming structures in shoreline mesh with other local codes?
- Should some structures be nonconforming?
 - House in floodway
 - Structure on eroding slope



Think about...

- Structures only, not uses
- Legally established structures only
- No overwater residences



Limitations

- Document your decisions
- Show your work
- How will you achieve NNL?

Consider

- Include nonconforming language
 - Variances
 - Some existing development – uses & lots
 - WAC kicks in without SMP language

Don't forget

http://www.ecy.wa.gov/programs/sea/shorelines/smp/handbook/pdf/existing_development%20guidance_2011.pdf

Guidance