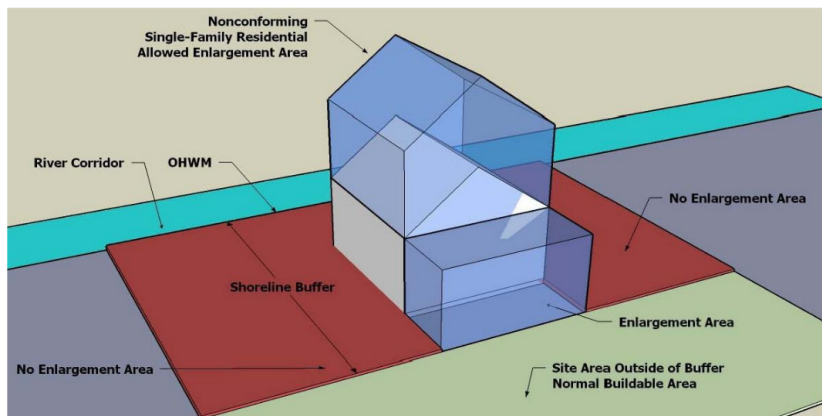


Alternative Amendments to SMP Ch. 7 - Shoreline Use and Modification (see call outs on pages 7-23 and 7-24)

Figure 7-1. Allowed Enlargements to Nonconforming Single-Family Residential Structures



e. Residential Appurtenances. An appurtenance is a use which is connected to the use and enjoyment of a single-family residence and is located landward of the ordinary high water mark and the perimeter of a wetland. Normal appurtenances include a garage, detached accessory buildings (including those under 200 square feet in floor area), decks, driveway, utilities, fences, installation of a septic tank and drainfield, and grading which does not exceed one-hundred (100) cubic yards and which does not involve placement of fill in any wetland or waterward of the ordinary high water mark. -Accessory dwelling units are not a normal appurtenance.

i. New detached accessory building(s) and/or structure(s), including garages, sheds, shops, decks, carports, lean-to and other building(s)/structure(s) associated with residential land uses ~~appurtenances~~ shall not be located in ~~required~~ critical areas, critical area setbacks or critical area buffers where a ~~shoreline~~ such location is not necessary; such buildings may be located in the shoreline area outside critical areas, critical area setbacks or critical area buffers, through a Statement of Exemption process.

~~V.(A)~~ _____ -If no location is available outside of the regulatory critical area buffer, ~~the appurtenance~~ an accessory structure(s)/building(s) may be permitted through a shoreline variance permit only. Such ~~appurtenance~~ accessory structure(s)/building(s) shall be located outside of the regulated buffer to the maximum extent feasible; avoidance alternatives

to impacts shall be demonstrated through various alternative site plans and consideration of reduced structure size/bulk/mass, presented to the Administrator. All authorized unavoidable impacts shall be ~~and~~ mitigated in accordance with the PMC 21.06 (—Critical Areas) and SMP Chapter 5, Section C (Ecological Protection and Critical Areas)— to ensure no net loss of ecological functions.

ii. Clearing and grading is not allowed in critical areas or critical area buffers, unless otherwise allowed through a critical area report for a permitted residential use. Clearing and grading in shoreline areas, outside critical areas, or critical area buffers, where less than 8" of fill and less than 100 250 cubic yards of material is moved or imported shall be permitted through a Statement of Exemption process; projects that exceed these amounts require a Substantial Development Permit.

iii. Septic tank and drain field, underground storage tanks. Septic systems and drain field are not permitted in the shoreline environment without a shoreline conditional use permit. Underground storage tanks for heating fuels, due to the risk of ground water and soil contamination, are not permitted in the shoreline environment. Cisterns for the capture of ~~rain water~~rainwater and grey water are permitted.

iv. Utilities. Proposed underground utilities shall avoid to the maximum extent feasible, locations in the shoreline and shall avoid critical areas and critical area buffers in accordance with avoidance/minimization alternatives analysis process. If a location outside of such areas is technically feasible, utilities shall be located away from and out of all critical area buffers.

v. Pedestrian pathways and surfacing. All pedestrian pathways, walkways and hard surfacing associated with residential uses in the shoreline area shall be permeable or designed as to not create additional runoff.

vi. Landscaping.

(A) Landscaping and gardening are allowed activities in areas of prior converted to lawn, landscape/flower beds or other gardening related to residential uses.

(B) ~~Landscaping coverage~~Native vegetation requirements for new residential developments are contained in SMP Chapter 5.E – ~~V~~vegetation ~~C~~conservation.

vii. Fences appurtenant to a single-family residence may be allowed in critical area buffers, ~~setbacks~~setbacks, and shoreline areas through a Statement of Exemption, consistent with the following standards:

(A) Fences aligned roughly perpendicular to the shoreline and within 25 feet upland of the OHWM shall be no more than four (4) feet high when separating two residential lots and no more than six (6) feet high when

Commented [KW1]: Planning Commission: the original exemption threshold that we drafted here was consistent with the City's clear, fill, grade code. However, ECY noted that the exemption in WAC 173-27-040(2)(g) is set at 250 cubic yards when appurtenant to a single-family residence. So, we are proposing to modify this exemption threshold to be consistent with the WAC as it would supersede city code in this case.

Commented [KW2]: Planning Commission: Staff is proposing to add the text in this section that's highlighted in yellow to make it clear what the permit process is for fences appurtenant to single-family residences.

separating a residential lot from public lands, including rights-of-way, or parks/open spaces.

(B) Fences aligned roughly parallel to the shoreline shall be set back at least 25 feet from the OHWM and shall be no more than four (4) feet high. Such proposed fencing shall demonstrate a need to locate parallel to the shoreline, unless the fencing is landward of the single-family residence.

(C) Fences along a property line aligned roughly perpendicular to the shoreline shall be installed no closer than five (5) feet from the OHWM.

(D) Chain link fences and treated wood are not allowed in the shoreline jurisdiction. Natural, untreated wood fencing materials only.

Commented [KW3]: Planning Commission: ECY staff recommended that we add this text for this fencing standard, noting that a fence along shoreline would not generally meet mitigation sequencing requirements.

VI.f. Land subdivisions should be platted to assure that future development of the created lots will not require structural shore stabilization for reasonable development to occur.

VII.g. Residential development, and accessory structures, taking place within the regulated floodplain shall comply with FEMA biological assessment requirements and provisions of the Puyallup Flood Damage Prevention Regulations.

VIII.h. Multi-unit, subdivision and planned residential developments of five (5) or more waterfront lots/units shall dedicate, improve, and provide maintenance provisions for a pedestrian easement that provides area sufficient to ensure usable access to and along the shoreline for all residents of the development and the general public.

IX.i. As required by [RCW 90.58.320](#), no permit shall be issued for any new or expanded building or structure more than thirty-five feet in height that will obstruct the view of a substantial number of residences on areas adjoining such shorelines. Height is measured according to Chapter 2, Definitions.

K. RESTORATION

1. Definition

i.a. "Restoration" means the re-establishment or improvement of impaired ecological shoreline processes or functions. This includes watershed restoration projects and habitat and natural systems enhancement projects. This may be accomplished through measures including, but not limited to, revegetation, removal of intrusive shoreline structures, ~~removal~~removal, or treatment of toxic materials, and re-connecting a river or stream channel to its geomorphic floodplain through removal or setting back of levees, revetments, or other shoreline stabilization. Restoration does not imply a requirement for returning the shoreline area to aboriginal or pre-European settlement conditions.