
SECTION THREE -- POLICIES AND REGULATIONS FOR USE ACTIVITIES

I. AGRICULTURAL ACTIVITIES

A. Scope and Definition

Agricultural practices include cultivating, tilling, weed control, irrigation, fertilizing agricultural land, harvesting crops, and applying management controls to avert wind and water erosion and damage. They also include animal husbandry practices associated with the feeding, housing, maintenance, processing and marketing of animals such as beef cattle, milk cows, breeding stock, horses and poultry and their by-products; also, agriculturally oriented storage, processing and management activities and structures.

Agricultural land is land which is used for the production of agricultural commodities. Agricultural commodities include any plants, or parts thereof, and animals produced by a farmer with their primary use being for sale, consumption, or propagation by man or animals.

B. Policies

1. Agricultural practices that prevent soil erosion and minimize siltation, turbidity, pollution and other environmental degradation in watercourses and wetlands should be utilized.
2. Overgrazing of livestock should be avoided to prevent erosion.
3. Agriculture is a preferred use on flood plains.

C. General Regulations

Suitable pollution control measures shall be established and maintained between agricultural activities and water bodies. The measures shall prevent or minimize pollution generated by the specific agricultural activities.

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D. Environmental Designations and Regulations

1. Urban, Suburban, Rural and Conservancy Environments. All types of agriculture are allowed provided the activities are consistent with the Policies and General Regulations of this Program.
2. Natural Environment. Grazing of livestock is permitted in the Natural Environment provided:
 - a. The character of the environment is not changed.
 - b. No harmful ecological impact results.

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II. AQUACULTURAL ACTIVITIES

A. Scope and Definition

Aquaculture involves the culture and farming of food fish, shellfish, and other aquatic plants and animals in lakes, streams, inlets, bays and estuaries. Aquacultural practices include the hatching, cultivating, planting, feeding, raising, harvesting and processing of aquatic plants and animals, and the maintenance and construction of necessary equipment, buildings and growing areas. Methods of aquaculture include but are not limited to fish hatcheries, fish pens, shellfish rafts, racks and longlines, seaweed floats and the culture of clams and oysters on tidelands and subtidal areas.

B. Policies

1. The Region should strengthen and diversify the local economy by encouraging aquacultural uses.
2. Aquacultural use of areas with high aquacultural potential should be encouraged.
3. Flexibility to experiment with new aquaculture techniques should be allowed.
4. Aquacultural enterprises should be operated in a manner that allows navigational access of shoreline owners and commercial traffic.
5. Aquacultural development should consider and minimize the detrimental impact it might have on views from upland property.
6. Proposed surface installations should be reviewed for conflicts with other uses in areas that are utilized for moorage, recreational boating, sport fishing, commercial fishing or commercial navigation. Such surface installations should incorporate features to reduce use conflicts. Unlimited recreational boating should not be construed as normal public use.

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7. Areas with high potential for aquacultural activities should be protected from degradation by other types of uses which may locate on the adjacent upland.
8. Proposed aquacultural activities should be reviewed for impacts on the existing plants, animals and physical characteristics of the shorelines.
9. Proposed uses located adjacent to existing aquaculture areas which are found to be incompatible should not be allowed.

C. General Regulations

1. Aquaculture development shall not cause extensive erosion or accretion along adjacent shorelines.
2. Aquacultural structures and activities that are not shoreline dependent (e.g., warehouses for storage of products, parking lots) shall be located to minimize the detrimental impact to the shoreline.
3. Proposed aquaculture processing plants shall provide adequate buffers to screen operations from adjacent residential uses.
4. Proposed residential and other developments in the vicinity of aquaculture operations shall install drainage and waste water treatment facilities to prevent any adverse water quality impacts to aquaculture operations.
5. Land clearing in the vicinity of aquaculture operations shall not result in off-site erosion, siltation or other reductions in water quality.
6. For nonaquacultural development or uses proposed within or adjacent to an Aquacultural District, or which may be adversely affected by the aquaculture operation, restrictive covenants shall be filed which will inform prospective buyers of the proximity of the Aquacultural District.

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7. Establishment of Aquacultural District. Due to the importance of aquaculture to the Thurston County economy and the unique physical characteristics required to initiate or continue an operation, this section allows for the establishment of an Aquacultural District. The permit for an Aquacultural District will be issued for a specific area. Development authorized within the District will be generally described and located to provide for the range of development associated with the aquaculture operation. The applicant for a District will provide the boundaries of the use area, location and size of upland structures, maximum size, height and surface area coverage of in-water structures, and a description of activities in sufficient detail to determine possible impacts. The activities within an Aquacultural District shall be reviewed on a periodic basis to assure compliance with the permit. If the Administrator finds that an activity or environmental impact is substantially different than that considered in the permit approval then action shall be taken to bring the operation into compliance with the permit. The applicant must be the lessee or owner of the property proposed for inclusion within an Aquacultural District.

The following describes how and when an Aquacultural District can be formed:

- a. Existing. Aquacultural uses existing prior to adoption of the Master Program (May 21, 1976) may be designated as Aquacultural Districts by the Administrator upon application of the operator. The application shall describe the extent of the operation prior to adoption of this Master Program, including the items specified above.

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- b. Changes to an Aquacultural District. Changes in uses within an Aquacultural District, including species reared and design of floating structures, may be allowed provided the Administrator finds that the activity does not exceed the scope of activity approved in the original permit. Additional over-water construction shall in no case exceed ten percent (10%) of overwater construction approved in the original permit. The proposed change shall not create adverse impacts exceeding those of the uses authorized in the original permit. Impacts to be considered in this determination include:
- (1) Aesthetics
 - (2) Water quality
 - (3) Navigation
 - (4) Noise
 - (5) Odor and waste management
- c. New. An Aquacultural District may be approved for a proposed new or expanded aquaculture use through the Substantial Development Permit process. The permit will be reviewed and approved for the range of activities associated with the proposed aquaculture use. An Aquacultural District must possess the characteristics which will produce an environment suitable for aquacultural production. Factors to be considered in determining whether a proposed Aquacultural District will be approved shall include:
- (1) Current use of the site and neighboring uses
 - (2) Physical suitability of the environment
 - (3) Type of aquaculture proposed and associated activities

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- (4) Potential environmental impacts
- (5) The ability to minimize conflict between the proposed aquacultural use and other existing or permitted uses

D. Environmental Designations and Regulations

1. Urban, Suburban, Rural, Conservancy and Natural-Aquatic Environments. All types of aquaculture are allowed, provided the operation is consistent with the policies and regulations of this program and chapter.
2. Natural Environment. Aquaculture practices are limited to fishing and harvesting of wild and planted stocks for recreational and commercial purposes. Stocking not involving placement of structures or fill will be allowed by Conditional Use Permit, upon showing that the activity will not substantially change the character of the site or adversely affect natural populations.

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III. ARCHAEOLOGICAL AREAS AND HISTORIC SITES

A. Scope and Definition

These may include ancient villages, military forts, old settlers' homes, ghost towns, trails and scenic sites, abandoned cemeteries and other establishments, archaeological diggings, monuments, Native American sites and sites of former pioneer buildings.

B. Policies

1. Because archaeological areas and historic sites are nonrenewable educational tools and links with the past, they should be preserved regardless of the environment in which they are located.
2. Areas proposed for development, and specifically identified by the Washington Office of Archaeology and Historic Preservation, County Certified Local Governments, concerned tribes or similar agencies, as being of historic or archaeological interest should not have permits granted until all these agencies have an opportunity to comment on the particular project.
3. New sites uncovered during excavation or development should be reported by the developer to the local shorelines agency to enable other appropriate agencies to investigate the find. Local government should coordinate with these agencies to preserve important sites.

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4. The National Historic Preservation Act of 1966, and the Revised Code of Washington (Chapter 43.51), provide for the protection, rehabilitation, restoration and reconstruction of districts, sites, buildings, structures and objects significant in American and Washington pre-history, history, architecture, archaeology or culture. The state legislature has named the Director of the Washington State Historic Preservation Officer as the person responsible for this program. Prehistoric sites discovered during development should be reported under this program for possible preservation, restoration, and the necessary financing.
5. Prehistoric and historic areas and structures located in waterfront areas should be preserved. If parking or vehicular access required by this or other codes would adversely affect these historic areas or structures, alternatives such as allowing a reduction in required parking should be reconsidered.

C. General Regulations

1. If artifacts and items of historical and archaeological interest are discovered during the excavation or Development along shorelines, the excavation or development must immediately be stopped, and the find must be reported to the local shorelines agency. The local government shall notify appropriate agencies of the find. These agencies may include the Washington Office of Archaeology and Historic Preservation, the Washington Archaeological Research Center, the State Historical Museum, Certified Local Governments, concerned tribes and local historical societies.
2. The local shorelines agency shall arrange for inspection of the site within seven calendar days by one or more professional archaeologists or historians. These individuals shall make recommendations as to site restoration, site protection, or removal of artifacts, or loss of the site to development, so that the site may be used as intended, or compensation may be made as may be feasible at the time. The local shorelines agency shall review the recommendations and decide on the course of action within seven calendar days of receiving the recommendations.

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3. Conditions may be attached to Shoreline Permits to protect historic sites or artifacts as long as normal permit procedures are followed.
4. Where known sites (as recorded by the Washington Archaeological Research Center or the Washington State Office of Archaeology and Historic Preservation) are proposed for development, the local shorelines agency shall consult these agencies for their recommendations, and may deny the Shoreline Permit where the historic or archaeological value of the site outweighs the development value.
5. A Conditional Use Permit may be required for development of single-family residences where protection of historic and archaeological sites is a factor.

IV. BOATING FACILITIES

A. Scope and Definition

Boating facilities include marinas, boat ramps, piers, docks, boathouses, mooring buoys, recreational floats and marine railways. "Boat ramps" are constructed of concrete or other material which extends onto the water and tidelands for boat launching. A "marina" is a water-dependent facility that provides wet and/or dry moorage for over ten (10) boats and other related sales and maintenance services. "Piers and docks" are structures generally built from the shore extending out over the water to provide moorage for commercial and/or private recreation water craft or float planes or for water recreational use. When a pier or dock is to serve ten (10) or more boats, it is considered a marina and must comply with the marina regulations and not the regulations for piers and docks. They may either be anchored to and floating or permanently fixed to pilings. A "mooring buoy" is an anchored floating device for the purpose of securing a watercraft. "Recreational floats" are anchored platforms detached from the shoreline for recreational activities such as swimming and diving. "Marine railways" are a pair of sloping tracks used to launch watercraft. "Covered moorage" is a roofed structure for the wet or dry storage of one or more boats. "Boathouses" are a type of covered moorage which have walls and are usually for the storage of one (1) boat.

B. Policies

Marinas and Launching Ramps:

1. Evidence of substantial demand must be demonstrated prior to allowance of new marina or boat launching facilities.
2. Shallow water embayments with poor flushing action should not be utilized for marinas or boat launching facilities.
3. Marinas and launching ramps should be located to minimize the need for continual dredging, filling, beach feeding, and other river, lake, harbor, and channel maintenance activities.

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4. Fuel handling and storage procedures that minimize accidental spillage and provide satisfactory means for handling those spills that do occur should be required.
5. Solid and liquid wastes and untreated effluents should not be allowed to enter any bodies of water or to be discharged onto the land.
6. Where wet moorage is offered, pump-out and holding or treatment facilities should be provided by marinas for sewage contained on boats to protect water quality.
7. In locating marinas, the adverse effects of construction and operation of the facility upon fish and shellfish should be minimized.
8. Marinas and boat launching facilities should be located in areas where parking and access to the facility can be accommodated without causing adverse impacts upon the adjacent properties.
9. Landscaping should be utilized to moderate the visual impact of parking areas, marinas and boat launching facilities.
10. Illumination should be designed and constructed to minimize off-site light and glare.
11. Proposed marinas should provide for as many compatible shoreline dependent recreational uses as possible according to the size and extent of the facilities.

Piers and Docks:

12. Pier and docks should be designed and located to minimize obstructions to scenic views, and conflicts with recreational boaters and fishermen.
13. Cooperative uses of piers, docks and floats are favored especially in new subdivisions.
14. Moorage buoys are preferred over piers and docks especially in tidal waters.

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Mooring Buoys and Recreation Floats:

15. Mooring buoys and recreation floats should be as close to the shore as possible.
16. Mooring buoys and recreational floats should be designed and marked to be clearly visible.

Marine Railways:

17. Marine railways should not obstruct shoreline access.

Covered Moorage:

18. The size of the covered moorage should be the minimum necessary for the use proposed.
19. Covered moorage over the water should be discouraged in tidal waters and prohibited in fresh water.
20. Covered moorage should be designed and located to maintain view corridors and blend with the surrounding development.

C. General Regulations

Marinas and Launching Ramps:

1. Marinas shall conform to the commercial and parking use regulations of this program.
2. Marinas and launch ramps shall be located in areas where there is adequate water mixing and flushing and shall be designed not to retard or negatively influence flushing characteristics.
3. Marinas and launch ramps shall be located on stable shorelines where water depths are adequate to eliminate or minimize the need for offshore or foreshore channel construction dredging, maintenance dredging, spoil disposal, filling, beach feeding and other river, lake, harbor and channel maintenance activities.

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4. All boating facilities, including marinas and boat yards, shall utilize effective measures to prevent the release of oil, chemicals, or other hazardous materials onto or into the water. Such measures may include, but are not limited to, dikes, catch basins or settling ponds, interceptor drains, and planted buffers.
5. For marinas offering wet moorage, pump-out and holding or treatment facilities shall be provided to handle sewage contained on boats.
6. Marinas and their accessory facilities shall be located, designed, constructed and operated to minimize adverse effects on fish and shellfish.
7. In sensitive areas, such as near certified shellfish beds, the applicant shall be required to demonstrate that the maximum protection of shore features, water quality, and existing uses will be provided.
8. Perimeters of parking areas shall be landscaped. The permit application shall identify the size, type and location of landscaping.
9. Marinas shall make available public access opportunities, such access will not endanger public health and safety. If it is not physically feasible to develop public access, the project may be exempted from the requirement.
10. Accessory uses at marinas shall be limited to those uses that are shoreline dependent and of necessity to marina operation.
11. Marinas shall provide at least one method of boat launching, where feasible.
12. Restroom facilities must be provided at marinas and boat launching facilities.

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Piers and Docks:

13. Prior to final project approval of a residential development, a usable area shall be set aside for pier or dock unless there is no suitable area. Only one dock or pier is permitted in a new residential development.
14. All pier and dock development shall be painted, marked with reflectors or otherwise identified so as to prevent unnecessarily hazardous conditions for water surface users during day or night.
15. Docks and piers are prohibited on lakes or marine water bodies where the distance to the opposite shore is one hundred fifty (150) feet or less. This is to insure the maintenance of navigation.
16. When bulkheads are constructed in conjunction with pier or dock development, the bulkhead shall be placed no farther waterward of the ordinary high water mark than is necessary to achieve erosion control. The most landward portion of the footing shall be at the toe of the bank or the vegetation line where the toe of the bank is not discernible.
17. In marine water, the length of piers or docks for recreational use may be the average length of the existing docks or piers within one hundred (100) feet of each property line. If there exists a dock on one side of a new proposed one but not on the other, the average to be used for the side without a dock shall be one hundred (100) feet. If there are no piers or docks within one hundred (100) feet, the maximum length shall not exceed one hundred (100) feet as measured from the mean higher high-water mark and not exceed a depth of minus three (-3) feet as measured from mean lower low water. If this is not sufficient length to reach the desired depth for moorage, then a buoy shall be used.
18. There is no maximum length and width for commercial piers or docks; however, the proponent must show the size proposed is the minimum necessary to allow the use proposed.
19. The width of recreational docks or piers shall not exceed eight (8) feet.

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20. In fresh water areas, new docks shall not exceed the average length of the existing docks within one hundred (100) feet of the property lines. If there exists a dock on one side of a new proposed one but not on the other, the average to be used for the side without a dock shall be fifty (50) feet. If there are no docks with one hundred (100) feet, the length shall not exceed fifty (50) feet as measured from the ordinary high water mark.
21. At the terminus of a dock or pier, a float is normally attached for purposes of a landing and for moorage of watercraft. These floats may either be parallel to the dock or pier, or form a tee. The float cannot exceed four hundred (400) gross square feet for a piling dock/pier in tidal waters, two hundred fifty (250) gross square feet for a floating dock/pier on tidal water, and two hundred (200) gross square feet for docks/piers on fresh water. The total length of the dock/pier with an attached float cannot exceed the total length allowed under General Regulations #17 and #20.
22. Docks and piers shall be set back ten (10) feet on fresh and twenty (20) feet on tidal water from the side property line. These setbacks may be waived if two single-family property owners wish to construct a joint pier on the common property line under the following conditions:
 - a. Both property owners must record a non-exclusive easement granting each other the right to use the pier.
 - b. The easement must acknowledge that each property owner is giving up the right to construct a separate single-family pier.
23. Span between pilings for piers or docks on pilings shall be eight (8) feet or greater.

Mooring Buoys and Recreational Floats:

24. Buoys and floats must be discernible under normal daylight conditions at a minimum of one hundred (100) yards and must have reflectors for nighttime visibility.
25. Single property owner recreation floats shall not exceed sixty-four (64) square feet.

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26. Multiple property owner recreational floats shall not exceed ninety-six (96) square feet.
27. Mooring buoys and recreational floats shall not be located farther waterward than the existing floats and mooring buoys, or established swimming areas, unless the draft of the boat dictates it.
28. Only one mooring buoy or recreational float will be allowed per waterfront lot unless there is a demonstration of need. Such demonstration may include a community park or residential development where lot owners both on and away from the shoreline share a shoreline open space area.

Marine Railways:

29. Marine railways shall be located on the existing grade where feasible.

Covered Moorage:

30. A boathouse for residential property is permitted landward of the ordinary high-water mark. It shall not exceed one hundred (100) square feet unless the size of the applicant's boat demands a larger structure. The structure shall not exceed ten (10) feet in height.
31. Covered moorage is prohibited over fresh water.

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D. Environmental Designations and Regulations

1. Urban Environment. Marinas, boat ramps, piers, docks, boathouses, mooring buoys, recreational floats and marine railways are permitted subject to the Policies and General Regulations.
 - a. Covered moorage over tidal water is only permitted in a marina and must meet the following regulations.
 - (1) It does not exceed fifty percent (50%) of the total number of slips.
 - (2) It does not form a visual wall between the adjacent inland property and the water, or between a public facility and the water.
 - (3) The design and appearance of the covered moorage is compatible with other covered structures in the marina and the surrounding environment.
 - b. In marinas where the existing covered moorage does not comply with this Program, the following regulations will apply:
 - (1) Repair and maintenance is allowed on existing structures.
 - (2) Relocation and replacement with new structures is allowed provided:
 - (a) Area covered by the structure is not increased.
 - (b) The relocation and replacement preserves existing views between the adjacent inland property and the water, or between a public facility and the water.
 - (c) The appearance of the covered moorage is compatible with other covered structures in the marina and the surrounding environment.

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- c. Covered moorage on dry land for commercial purposes is only permitted in marinas and must comply with the following:
 - (1) A view corridor of not less than thirty-five percent (35%) of the width of the ownership shall be maintained from the abutting street and waterway.
 - (2) The structure shall not exceed thirty-five (35) feet in height.
 - (3) The structure shall be visually compatible with the surrounding environment.
2. Suburban and Rural Environments. Marinas, boat ramps, piers, docks, boathouses, mooring buoys, recreational floats and marine railways are permitted subject to the Policies and General Regulations.
3. Conservancy Environment
 - a. In the aquatic portion of a Conservancy Environment where the adjacent uplands are designated Rural or Urban, the same uses will be permitted as in the Rural Environment.
 - b. Recreational piers, boat ramps, docks, boathouses, mooring buoys and marine railways are permitted subject to the Policies and General Regulations.
4. Natural and Natural-Aquatic Environments. Marinas, piers, docks, boathouses, recreational floats and marine railways are prohibited. Launching areas for hand launched nonmotorized watercraft will be permitted in the Natural Environment.

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V. COMMERCIAL DEVELOPMENT

A. Scope and Definition

Commercial developments are those uses which are involved in providing goods, merchandise or services for compensation. Commercial developments range from small businesses within residences to high-rise office buildings including hotels, motels, grocery markets, shopping centers, restaurants, shops, private or public indoor recreation facilities.

B. Policies

1. Commercial developments which are water-dependent or water-related are encouraged.
2. Commercial development that will provide opportunities for the public to enjoy the shorelines of the state will be considered.
3. New commercial developments on shorelines should be encouraged to locate in those areas with existing commercial uses.
4. Commercial developments that are water-dependent or water-related are encouraged to provide public access.
5. Properties within the shoreline jurisdiction but separated from the water by an arterial or state highway are exempt from the use and public access requirements of this section, if consistent with the following:
 - a. The proposed development is consistent with the use requirements of the local zoning ordinance.
 - b. The proposed development is consistent with the general Policies and General Regulations of this Program, and the regulations of the specific Environment Designation.

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6. Commercial developments should be aesthetically compatible with the surrounding area. Structures should not significantly impact views from upland properties, public roadways and from the water.
7. Parking facilities should be placed inland, away from the immediate water's edge and recreational beaches.
8. Commercial development should be discouraged within the 100-year flood plain.
9. Commercial developments which impair upstream or downstream land uses, wildlife or stream hydrology are prohibited.
10. Buildings over the water for commercial uses may be allowed for water dependent, or for uses that provide significant public access to the water water-enjoyment uses.
11. Buildings should only be allowed over-the-water if an urban waterfront plan addressing the relevant issues is approved.
12. Water-enjoyment uses should not be located in areas needed for water-dependent and water-related uses.
13. Construction of over-the-water buildings should consider impacts on marine habitat.
14. Over-the-water buildings should only be allowed on marine waters characterized by urban development.

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C. General Regulations

1. Buildings over thirty-five (35) feet will be allowed if they do not obstruct the view of substantial numbers of residences or upland properties.
2. Home occupations are businesses conducted within a dwelling which is the bonafide residence of the principal practitioner. They are not considered as commercial uses in this program provided a zoning permit is obtained from the jurisdiction and no alteration is made to the exterior of the structure.
3. Home-based industries are small scale commercial or industrial activities on residential parcels performed in a structure other than the residence. The principal practitioner must reside on the property. Home-based industries are allowed provided it does not alter the appearance of the site as a residential parcel and retail trade at the site is minimal.
4. Commercial uses that are water-dependent or water-related shall provide public access when feasible.
5. Over-the-water buildings are allowed only on marine shorelines.
6. Water-dependent and water-enjoyment buildings will only be allowed over-the-water after an urban waterfront plan is approved by the affected jurisdiction responsible for processing the required Shorelines Conditional Use Permit. This plan must include the following:
 - a. There must be adequate provision for water-dependent and water-related uses.
 - b. The Plan must consider view preservation, public access, traffic impacts, parking, and other upland site development requirements.
 - c. The Plan must consider the potential impacts to habitat posed by over-the-water construction.

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7. All stair towers meeting one of the following conditions must be designed by a licensed civil engineer:
 - a. The location proposed is mapped as "Unstable" or "Intermediate Stability" in the Washington Coastal Zone atlas prepared by the State Department of Ecology.
 - b. All stair towers 24 feet in height or taller.
 - c. Other instances where the building official determines that site conditions dictate the preparation of plans by a licensed civil engineer.
8. Stair towers shall be designed to minimize obstructing the views enjoyed by adjoining residences.

D. Environmental Designations and Regulations

1. Urban Environment. The following commercial activities are permitted in the Urban Environment.
 - a. Water-dependent commercial uses.
 - b. Retail uses associated with water-dependent activities such as boat sales, bait shops and fishing supplies stores.

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- c. The following over-the-water buildings may be allowed by Conditional Use Permit:
 - (1) Water-dependent buildings subject to the following criteria:
 - (a) The applicant must evaluate potential impacts to habitat posed by the development and suggest measures to avoid, minimize or mitigate any identified impacts.
 - (b) They must be in conformance with the overall urban waterfront plan as discussed in General Regulation #6 above.
 - (2) Water-enjoyment buildings subject to the following criteria:
 - (a) They must be in conformance with the overall urban waterfront plan as discussed in General Regulation #6 above.
 - (b) Existing public access must not be adversely affected.
 - (c) There must be no significant view blockage from upland areas by water-enjoyment buildings.
- d. Public access must be provided for significant numbers of people to enjoy the shoreline.
- e. They must be designed to take advantage of the amenities, such as views, afforded by such locations.
- f. The applicant must evaluate potential impacts to habitat posed by the development and suggest measures to avoid, minimize or mitigate any identified impacts.

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- g. Uses other than those listed above may be allowed provided the following showings are made:
 - (1) The site is designed in a manner to allow substantial numbers of people access to and enjoyment of the shoreline.
 - (2) The use does not discourage public enjoyment of the shoreline due to impacts such as traffic, noise and other emissions.
 - h. On blocks located in downtown Olympia Urban Waterfront-Housing (UW-H) housing district, structures may be built to a maximum height of 70 feet or less as prescribed by district regulations. These blocks are bounded by the center lines of the following: on the south by 7th Avenue, on the west by Water Street, on the east by Columbia Street, on the north by State Street. (Ordinance #6295, 06/25/02)
2. Suburban Environment. The following commercial activities are allowed in the suburban environment:
- a. Commercial activities, including boat rentals and concessions, that are directly related to the recreational uses allowed in this environment.
3. Rural Environment. The following commercial activities are permitted in the Rural Environment:
- a. Water-dependent commercial uses.
 - b. Uses other than those listed above may be allowed provided the following showings are made:
 - (1) The site is designed in a manner to allow substantial numbers of people access to and enjoyment of the shoreline.
 - (2) The use does not discourage public enjoyment of the shoreline due to impacts such as traffic, noise and other emissions.
 - (3) Structures must be set back fifty (50) feet from the ordinary high-water mark.
 - (4) Commercial structures shall not exceed thirty-five (35) feet in height.

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4. Conservancy Environment. Water-dependent commercial recreation activities are permitted in the Conservancy Environment provided:
 - a. The development must be of low intensity and will not substantially alter the existing character of the area, and
 - b. The following findings are made:
 - (1) The site is designed in a manner to allow substantial numbers of people access to an enjoyment of the shoreline.
 - (2) The use does not discourage public enjoyment of the shoreline due to impacts such as traffic, noise and other emissions.
 - (3) Structures must be set back one hundred (100) feet from the ordinary high-water mark.
 - (4) Structures shall not exceed thirty-five (35) feet in height above the average grade.
5. Natural and Natural-Aquatic Environments. Commercial development is prohibited in the Natural and Natural-Aquatic Environments.

VI. DREDGING

A. Scope and Definition

Dredging means the removal of sand, soil, gravel, or vegetative materials by any means from the bottom of a stream, river, lake, bay, estuary or channel. Dredging includes the anchoring of dredges, placement of floating draglines, diking and bulkheading for the purpose of minimizing runoff and seepage from dredge spoils disposal, and the process of discharging spoils into either aquatic or land sites. Dredging does not include mining for commercial purposes.

B. Policies

1. Dredging should be conducted in such a manner as to minimize damage to natural systems in both the area to be dredged and the area for deposit of dredged materials.
2. Dredging of bottom materials for the single purpose of obtaining fill material should be discouraged.
3. Deposition of dredge material in water areas should be allowed for habitat improvement, to correct problems of material distribution adversely affecting aquatic populations, or when a site has been approved by the Interagency Open Water Disposal Site Evaluation Committee (WAC 332-30-166).

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C. General Regulations

1. All applications for Substantial Development Permits which include dredging shall supply a dredging plan which includes the following information:
 - a. Location and quantity of material to be removed.
 - b. Method of removal.
 - c. Location of spoil disposal sites and measures which will be taken to protect the environment around them.
 - d. Plans for the protection and restoration of the wetland environment during and after dredging operations.
2. Toxic dredge spoil deposits on land shall not be placed on sites from which toxic leachates could reach shorelines and/or associated wetlands.
3. The Administrator and/or the legislative body may require that dredge disposal sites on land be completely enclosed by dikes designed to allow sediments to settle before dredge discharge water leaves the diked area. Such dikes must be protected from erosion.
4. No permit shall be issued for dredging unless it has been shown that the material to be dredged will not exceed the Environmental Protection Agency and/or Department of Ecology criteria for toxic sediments.
5. Dredging for the sole purpose of obtaining landfill material is prohibited.
6. Permits for dredging shall be granted only if the project proposed is consistent with the zoning and/or the land use designation of the jurisdiction in which the operation would be located.

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7. Dredge materials shall not be deposited in water unless:
 - a. The operation improves habitat; or
 - b. The site is approved by the Interagency Open Water Disposal Site Evaluation Committee (WAC 330-30-166).
 - c. The disposal of spoils will increase public recreational benefits.

D. Environmental Designations and Regulations

1. Urban, Suburban, Rural and Conservancy Environments. The following dredging activities are allowed:
 - a. Dredging to deepen navigational channels
 - b. Dredging to improve water quality
 - c. Dredging to bury public utilities
 - d. Dredging to increase recreation benefits
 - e. Dredging to maintain water flow
 - f. Dredging which is required to allow an activity permitted by this Master Program.
2. Natural and Natural-Aquatic Environments. Dredging is prohibited in the Natural Environment except as an emergency measure. Dredging is allowed in the Natural-Aquatic Environment for the same purposes as the Conservancy Environment and for deep water disposal of dredge spoils.

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VII. FOREST MANAGEMENT

A. Scope and Definition

Forest Management Practices are those "forest practices" conducted on or directly pertaining to forestland and relating to growing, harvesting or processing timber, including but not limited to: (1) road and trail construction; (2) harvesting, intermediate, final and salvage; (3) Pre-commercial thinning; (4) reforestation; (5) fertilization; (6) prevention and suppression of diseases, insects and fire; (7) brush control; and (8) site preparation through brush removal and/or prescribed burning. This section does not apply where the primary use of the property is residential.

B. Policies

1. Logging within shoreline areas should be conducted to ensure the maintenance of buffer strips of vegetation to prevent temperature increases adverse to fish populations, erosion of banks and maintenance of the riparian zone for wildlife habitat.
2. Logging should be avoided on shoreline with slopes of such grade that large sediment runoff will be precipitated, unless adequate restoration and erosion control can be expeditiously accomplished.
3. Rapid plant regeneration should be accomplished by planting where necessary to provide stability on areas of steep slope which have been logged.
4. Special attention should be directed in logging operations to prevent the deposition and accumulation of slash and other debris in contiguous waterways.
5. Roads and bridges should be designed, located, constructed, and maintained to prevent or minimize adverse effects on shoreline resources including visual impacts.
6. The policies and regulations are intended to be enforced through existing permit and review processes (i.e., Forest Practices Permits RCW 76.09 and WAC 222).

C. General Regulations

1. The local jurisdiction shall review forest practices applications filed within shoreline areas and provide any comments to the Department of Natural Resources within the allocated permit processing times established in the State Forest Practices Act.

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2. With respect to timber situated within two hundred (200) feet abutting landward of the ordinary high-water mark within Shorelines of State-Wide Significance, the Department of Ecology or local government shall allow only selective commercial timber cutting, so that no more than thirty percent (30%) of the merchantable trees may be harvested in any ten (10) year period of time: Provided, That other timber harvesting methods may be permitted in those limited instances where the topography, soil conditions or silviculture practices necessary for regeneration render selective logging ecologically detrimental: Provided further, That clear cutting of timber which is solely incidental to the preparation of land for other uses authorized by this Program may be permitted.
3. Timber on lands within shoreline areas that are proposed for conversion from timber management to another use cannot be harvested until a plan for the new use has been approved by the local government.
4. Lands permanently unsuited for production of wood fiber which provide significant wildlife habitat shall not be modified for timber production purposes. These lands are defined as wetlands, marshes, bogs and swamps in over one (1) acre in size. They include those areas that are inundated or saturated by ground or surface water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.
5. No trees shall be felled into or across a water body except trees which cannot practically and safely be felled outside the water body using techniques in general use, and these trees must then be removed promptly. No bucking or limbing shall be done on trees laying in or across a water body except as may be necessary to remove the tree from the water body.
6. Certain conservancy zones are subject to special regulations set out in Section 3, Part VII.D, below.

D. Environmental Designations and Regulations

1. Urban and Rural Environments. All Forest Management activities are allowed in the Urban and Rural Environments subject to the General Regulations.
2. Conservancy Environment. Subject to the restrictions set forth in Part VII.D.3., below, all Forest Management Activities are allowed in the Conservancy Environment subject to the General Regulations. In addition, all forest harvesting activities conducted within two hundred (200) feet of the ordinary high-water mark of Conservancy shorelines shall be planned and

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designed to insure adequate protection or enhancement of general wildlife habitat values. Forest practices shall:

- a. Avoid destroying low brush and nonmerchantable deciduous trees.
 - b. Avoid disturbing stumps and root systems.
 - c. Avoid excessive trafficking of equipment.
 - d. Use reasonable care when yarding from or through vegetative zones adjacent to the water to avoid material damage to the stream bank.
 - e. When practical, yard logs in the direction of the lay from water bodies.
 - f. Not disturb logs firmly embedded in streams unless authorized by an approved hydraulics permit.
 - g. Provide vegetative buffers adjacent to swamps, bogs, marshes, springs and other areas.
 - h. Be planned and designed to insure adequate protection of significant wildlife habitat which includes, but is not limited to: (a) bald eagle nests; (b) osprey nest sites; (c) spotted owl nest sites; (d) heron rookeries; (e) beaver ponds; (f) snags; (g) big game use habitat.
3. The following additional regulations apply to areas bordering Kennedy Creek designated as Conservancy:
- a. In the areas designated as a "no harvest zone" in the map entitled "Kennedy Creek Shoreline Designations" dated and labeled with this Ordinance number in the custody of the Thurston County Planning Department:
 - (1) harvesting and other commercial utilization of forest resources is prohibited;
 - (2) no new roads may be constructed;
 - (3) existing road shall be maintained to minimize the risk of mass failure and surface erosion;
 - (4) tractor scarification is prohibited;
 - (5) other land uses are limited to those otherwise allowed in the Natural Environment.

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- b. In all other areas:
 - (1) logging on slopes steeper than 35% shall be done with a cable system or other system which minimizes soil erosion and shall be carried out only in the months of May through October;
 - (2) all trees shall be felled away from the area designated in Part VII.D.3.a., above;
 - (3) harvesting shall be fire trailed prior to prescribed burning. Use of tractors for constructing fire trails will be limited to flat, well-drained ground. Hand trailing will be employed elsewhere;
 - (4) all land shall be planted with conifer tree stock, predominantly Douglas Fir, within two (2) years of slash treatment;
 - (5) competing vegetation shall be controlled by hand and/or through the use of selective herbicides. No herbicide application shall occur within fifty (50) feet of the area designated in Part VII.D.3.a., above;
 - (6) for three (3) years after the logging of any harvest unit, no logging may take place on any adjacent harvest unit.
 - c. Disputes as to whether any specific property is within the "no harvest zone" shall be resolved by mutual agreement of the County and the landowner, after consultation with the Squaxin Island Indian Tribe and affected state agencies. In resolving these disputes, all wetlands contiguous with Kennedy Creek shall be deemed to lie within the no harvest zone.
4. Natural Environment. Commercial utilization of forest resources is prohibited in the Natural Environment. The following Forest Management activities are allowed in the Natural Environment:
- a. The minimum clearing necessary to prepare land for uses authorized by this Program.
 - b. Preservation or restoration of indigenous vegetative growth in areas significantly affected by fire, insects or disease.

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VIII. INDUSTRIAL DEVELOPMENT

A. Scope and Definition

An industrial development means the fabrication, assembly, manufacturing, processing or storage of goods. This category also includes the facilities for the transfer of cargo and/or passengers from water-borne craft.

B. Policies

1. Future marine water-dependent or water-related industrial use should be located in shoreline areas already devoted to or zoned for industrial use. Where industry is now located in shoreline areas that are more suited to other uses, it is the policy of this Master Program to minimize expansion of such industry unless the property is already zoned for industrial use by the local jurisdiction.
2. Priority for industrial development along fresh water shorelines should be given to industrial uses in the following order of priority:
 - a. Water-dependent uses;
 - b. Water-related uses; and
 - c. Other industrial uses.

The lower-priority uses should be allowed if the higher-priority uses cannot be reasonably expected in the future, or if lower-priority uses will be of public benefit by increasing public use, enjoyment or access to the shoreline.

3. The cooperative use of docking, parking, cargo handling and storage facilities should be strongly encouraged in waterfront industrial areas.
4. New facilities should not substantially increase levels of air, noise, or water pollution.

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5. Open-pile or floating construction is favored in the expansion of facilities into water areas.
6. The length and width of industrial docks and piers should be the minimum necessary.
7. Buildings should only be allowed over-the-water if an urban waterfront plan addressing the relevant issues is approved.
8. Construction of over-the-water buildings should consider impacts on marine habitat.
9. Over-the-water buildings should only be allowed on marine waters characterized by urban development.

C. General Regulations

1. The project application shall incorporate the following:
 - a. Evidence of water dependency.
 - b. Cooperative use of service facilities by multiple concerns where possible.
 - c. Information on transportation and utility service corridors, traffic circulation, access to facility and effect of the proposed project on transportation and circulation in the vicinity.
 - d. Analysis of the impact upon and alteration to natural landform patterns.
 - e. Methods for treatment and control of waste disposal including any storm or sanitary sewer outfalls proposed.
 - f. Analysis of the impact upon ground water, hydrology, drainage patterns and soil erosion.
 - g. Analysis of air quality and noise level impacts.

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2. Issuance of a permit for the development, expansion or alteration of an industrial area shall be contingent upon the existence of emergency capabilities for controlling and eliminating potential water pollution impacts resulting from spills, leaks or operational failures.
3. Water storage and handling of logs is subject to the following standards:
 - a. Permits shall contain provisions for the clean up of log dumping and rafting areas, and disposal of wastes.
 - b. Bark and wood debris controls, together with collection and disposal facilities, must be employed at log dumps, raft building areas, and mill handling areas.
 - c. Logs shall not be dumped, stored or rafted where grounding will occur except in the Urban Environment of Budd Inlet.
 - d. Permits for free-fall dumping of logs are not allowed unless the applicant can demonstrate said procedures will not produce more adverse impacts than the easy let-down method. The use of log bundling and other devices should be encouraged.
4. Dry land storage of logs is subject to the following standards:
 - a. Unpaved storage areas underlain by permeable soils shall have at least a four (4) foot separation between ground surface and the winter water table.
 - b. Dikes, drains, vegetative buffer strips or other means shall be used to ensure that surface runoff is collected and discharged in a manner least detrimental to water quality from the storage area. It shall be demonstrated that state water quality standards or criteria will not be violated by such runoff discharge under any conditions of flow in nearby water courses. If such demonstration is not possible, runoff shall be treated to meet state and federal standards.
5. Over-the-water buildings are allowed only on marine shorelines.

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6. Water-dependent uses will only be allowed over-the-water after an urban waterfront plan is approved by the affected jurisdiction responsible for Shoreline Conditional Use Permits. This plan must include consideration of the following :
 - a. Adequate provision for water-dependent and water-related uses.
 - b. View preservation, public access, traffic impacts, parking, and other upland site development requirements.
 - c. Potential impacts to habitat posed by over-the-water construction.
7. All stair towers meeting one of the following conditions must be designed by a licensed civil engineer:
 - a. The location proposed is mapped as "unstable or "Intermediate Stability" in the Washington Coastal Zone Atlas prepared by the state Department of Ecology.
 - b. All stair towers 24 feet in height or taller.
 - c. Other instances where the building official determines that site conditions dictate the preparation of plans by a licensed civil engineer.
8. Stair towers shall be designed to minimize obstructing the views enjoyed by adjoining residences.

SECTION THREE -- POLICIES AND REGULATIONS FOR USE ACTIVITIES

D. Environmental Designations and Regulations

1. Urban Environment. The following industrial activities are allowed in the Urban Environment:
 - a. Water-dependent and water-related port and industrial uses on marine waters.
 - b. Expansion of existing industrial uses provided it does not adversely affect the flood carrying capacity of the floodplain.
 - c. Construction of replicas of and/or architectural interpretations of historical buildings originally located over water.
 - d. Water related and other industrial uses on fresh water, provided a water-dependent use cannot be reasonably expected.
 - e. Water-dependent over-the-water buildings may be allowed by Conditional Use Permit.
2. Suburban, Rural and Conservancy Environments. Industrial and port uses are prohibited in the Suburban, Rural and Conservancy Environments, including upland storage of logs. Expansion and maintenance of existing log storage and handling facilities is allowed.
3. Natural and Natural-Aquatic Environments.
 - a. Industrial developments are prohibited.
 - b. Storage of logs is prohibited in the Natural Environment.

IX. LANDFILLING

A. Scope and Definition

Landfilling means the creation of dry land areas by depositing material such as sand, soil or gravel into a wetland or shoreland. "Beach feeding" means the introduction of sand or gravel to beaches to enhance recreation, wildlife or to preserve natural physical character of the shoreline. Backfilling behind a bulkhead that is in conformance with the appropriate environment use regulations is not considered to be landfilling.

B. Policies

1. Shoreline fills or cuts should be designed and located so that significant damage to existing ecological values or natural resources, or alteration of local currents will not occur which create a hazard or a risk of significant injury to life, adjacent property and natural resource systems.
2. All fills should be accomplished with suitable safeguards for erosion control.
3. Fill material should be of such quality that it will not cause water quality degradation beyond the limits of adopted water quality standards defined by the Department of Ecology.
4. Priority should be given to landfills for water-dependent uses.
5. The size of landfills should be limited by the consideration of such factors as total water surface reduction, navigation restriction, impediment to water flow and circulation, reduction of water quality and destruction of habitat.

SECTION THREE -- POLICIES AND REGULATIONS FOR USE ACTIVITIES

C. General Regulations

1. Disposal of solid wastes is not considered landfilling for the purposes of this section.
2. Landfills shall consist of clean materials including such earth materials as clay, sand, and gravel, and also may include oyster or clam shells. In addition, concrete may be included in fill material if it is not liable to pollute ground water and is approved by the Administrator. Organic debris, such as wood and other vegetative material shall not be used as fill material.
3. Landfills, except for beach feeding, shall be designed, constructed, and maintained to prevent, minimize and control all material movement, erosion, and sedimentation from the affected area.
4. Landfill areas shall be covered with sufficient earth material to support indigenous vegetative ground cover and replanted with vegetation to blend with the surrounding environment.
5. Prior to issuance of any permit for landfilling in or along a stream, it must be demonstrated that the fill will not cause any detrimental change in flood elevations, or restrict stream flow or velocity. No fill which adversely affects the capability of a stream to carry 100-year flood flows will be allowed.
6. Artificial beach maintenance may be allowed by Substantial Development Permit in any environment, notwithstanding other regulations of this section. Provided, such maintenance shall be by "beach feeding" only, with both the quality and quantity of material to be approved by the Administrator. Habitat protection is a primary concern for any beach feeding operation and must be a consideration in permit approval.
7. Landfill which will interfere with public rights of navigation and rights corollary thereto shall not be permitted unless there is an overriding public interest.

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8. Landfill placed for the purpose of providing land to ensure required distances for septic tank drainfields is prohibited.
9. Permits for landfilling shall be granted only if the project proposed is consistent with the zoning of the jurisdiction in which the operation would be located.

D. Environmental Designations and Regulations

1. Urban Environment. Landfill for the purpose of developing a site for a use authorized under this program is allowed subject to the following condition:
 - a. Landfill associated with a dock or pier is prohibited except when needed to protect shoreside abutments.
2. Suburban, Rural and Conservancy Environments. Landfill is allowed in the Suburban, Rural and Conservancy Environment to prepare a site for a use authorized by this Program, provided:
 - a. The landfill is for a use authorized by this Program. Landfilling will only be permitted if will not significantly alter any of the following functions:
 - (1) Wildlife habitat
 - (2) Natural drainage control
 - (3) Maintenance of water quality
 - (4) Aquifer recharge
 - b. Landfill associated with piers or docks is prohibited except when needed to protect shoreside abutments.
3. Natural Environment. Landfilling is prohibited in the Natural Environment.

SECTION THREE -- POLICIES AND REGULATIONS FOR USE ACTIVITIES

X. MINING AND DRILLING

A. Scope and Definition

Mining and drilling is the removal of naturally occurring metallic and nonmetallic minerals and other related materials, including sand, gravel and quarry rock from on, and beneath, the earth's surface. Normally, such removal is for commercial and construction purposes. Mining includes deep pit, open pit, surface mining, quarrying, placer and hydraulic mining. Drilling for the extraction of materials such as oil or natural gas is covered under this section. Drilling for scientific research is regulated by the "Research" section. Mining and drilling for aquaculture purposes are regulated by the Aquaculture Section and not by this Section.

B. Policies

1. Recognizing that materials, especially sand, gravel, and quarry rocks, are in demand yet relatively limited in quality and quantity and that shorelines are also a valuable and limited resource where mining may have negative impacts, mining activities, therefore, should be encouraged primarily in other than shoreline areas.
2. Mineral extraction activities along shorelines that would irreparably alter or remove prime agricultural lands and associated activities should be prohibited.
3. Mining activities should not substantially alter or cause irreparable damage to normal geohydraulic processes, channel form and alignment, and meandering patterns of adjacent and nearby water bodies and associated marshes and wetlands except when it involves stream enhancement or relocation.
4. Mining activities should take all appropriate measures to minimize disruption of and damage to the fisheries resources.
5. Placer or hydraulic mining operations should be prohibited in all areas of Shoreline Management Act jurisdiction, unless it can be shown to be non-disruptive and non-damaging to other resources in the shoreline jurisdiction.

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6. Accessory equipment and materials essential to mining operations in shoreline areas should be, if at all feasible, stored or sited landward from the ordinary high-water mark.
7. Recognizing the limited quantity and quality of natural marine, especially accretion beach forms, and recognizing the increasing demand for other uses of these shorelines and the existence of alternative mineral sources, then mining of these shores should not be permitted.
8. Surface mining of river and stream point bars for sand and gravel may be permitted providing there is annual accretion and replacement of the mineral material.
9. Surface mining of river and stream point bars may be permitted providing the operation will not substantially impact normal geohydraulic processes, channel form and alignment, rivers meandering patterns, fish resources, water quality, and the shoreline environment.
10. Mining operations and practices should adhere to local, state and federal water quality standards.
11. Mining operations and practices in shoreline areas should protect receiving waters from degradation. These sources include but are not necessarily limited to erosion and subsequent sedimentation and siltation, chemical and petrochemical use and spillage, and storage or disposal of mine wastes and spoils.
12. The sensitivity of flood prone and floodplain areas should be carefully considered during review of proposed mining operations.
13. All equipment, works, and structures of mining operations should be able to withstand flooding without becoming hazards in themselves and without the placement of structural defense works.
14. Mining operations, if allowed on shorelines, should occur in areas other than those of high environmental, cultural, recreational or historical value.

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15. Mining operations, other than extraction of river point-bar material, should be set back a sufficient distance from water bodies and associated wetlands to utilize natural vegetation and topography, if adequate, for retarding or preventing erosion, protecting water quality from all possible sources of pollution, and preserving the natural values and aesthetics of the shoreline environment.
16. Overburden and spoil material should be handled and placed in a stable manner which will not destroy their potential reusable value and the value of the disposal site and will also prevent erosion, sedimentation, or leaching of material and hazardous substances into surface or ground waters.
17. Mining operations on shorelines should provide plans for and restore all disturbed areas to a biologically productive or useful condition to meet, at a minimum, the standards of the 1971 Surface Mining Act, RCW 78.44, administered by the Department of Natural Resources, and of appropriate regulatory agencies.
18. Reclamation plans should insure compatibility between the proposed site reclamation and existing land, shoreline and water uses.
19. Mining operations should take appropriate measures or controls, i.e., setbacks, buffers, to avoid or minimize hazardous conditions, use conflicts, and impacts to other shoreline and water users.
20. Mining activities, their siting, operations, and reclamation, should avoid or minimize visual and aesthetic impacts to shorelines in the vicinity and the aquatic environment.

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C. General Regulations

1. Applications for mining permits shall be accompanied by a report on the geologic makeup of the site, prepared by a competent professional geologist, addressing the following (at a minimum):
 - a. Type of material(s) present on the site.
 - b. Quantity of material(s) (by type).
 - c. Quality of material(s) (by type).
 - d. Lateral extent of mineral deposit.
 - e. Depth of mineral deposit.
 - f. Depth of overburden.
2. Operations too small to be covered by the requirements of the Surface Mining Act shall be required to submit adequate maps and written documentation to indicate how the operator intends to protect against sediment and silt production and provide for post-mining reclamation of the land.
3. Mining operations which will alter, impede or retard the flow or direction of flow of any stream within shorelines will be permitted provided it does not result in a substantial adverse impact to shoreline resources.
4. Mining operations shall be conducted in a manner which will not allow stagnant water to remain in excavations. All such excavations shall be backfilled and graded with suitable material.

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5. If mining operations reach a depth where ground water circulation is adequate to prevent stagnation, bodies of water may be left, provided that:
 - a. They be compatible with uses in the area.
 - b. All banks in soil, sand, gravel and other unconsolidated materials shall be sloped to five (5) feet below the low water line at a slope no steeper than three (3) feet horizontal to one (1) foot vertical. All solid rock banks shall be terraced or other measures taken to permit a person to escape from the water.
 - c. Above-water reclaimed areas shall be covered with a sufficient thickness of salvaged top soil to support indigenous vegetative ground cover and shall be replanted with vegetation to blend with the surrounding environment.
6. The removal of sand, gravel, or rock from marine beaches and bluffs shall be prohibited except in the least sensitive biophysical areas of the beach and not within or adjacent to a Critical Biological Area.
7. Should it become evident to the local jurisdiction that the continuance of any project in the current manner is detrimental to the proper functioning of the river or any other shoreline, the permit shall be reviewed by the granting authority (e.g., Administrator, legislative body) to determine if further conditions should be imposed or if the permit should be terminated.
8. Placer or hydraulic mining is prohibited in all waters and shorelines of the Region.

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9. The extraction of peat from bogs is allowed provided the following conditions are met:
 - a. Surrounding vegetation and wildlife are not significantly disturbed.
 - b. Access roads and wetland boundaries are revegetated with indigenous vegetation at the completion of the operation.
 - c. Impervious layers underneath the bog are not disturbed.
 - d. A buffer is retained during the operation between the mining activity and the upland edge of the bog.

D. Environmental Designations and Regulations

1. Urban, Rural and Conservancy Environments. Mining is allowed in the Urban, Rural and Conservancy Environments by Conditional Use Permit subject to the General Regulations.
2. Suburban Environment. Mining is prohibited in the Suburban Environment.
3. Natural and Natural-Aquatic Environments. Mining or drilling operations are prohibited in the Natural and Natural-Aquatic Environments.

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XI. OUTDOOR ADVERTISING SIGNS AND BILLBOARDS

A. Scope and Definition

Signs and billboards are publicly displayed boards and structures whose purpose is to provide information, direction or advertising. Signs may be pleasing or distracting, depending upon their design and location. A sign, in order to be effective, must attract attention. A message, though, can be clear and distinct without being offensive. There are areas where signs are not desirable, but generally it is the design that is undesirable, not the sign itself. This section does not apply to temporary signs whose primary purpose and content is political.

B. Policies

1. Signs in shoreline areas should be designed so that they interfere as little as possible with visual access to the shoreline. Flush-mounted buildings signs should be the preferred method of display.
2. Where outdoor advertising is permitted in shoreline areas, signs should be designed and placed so that size, height, density, illumination and other factors insure compatibility with the existing shoreline and water environment and adjacent and surrounding land and water use.

C. General Regulations

1. Off-premise, temporary and directional signs shall not exceed five (5) feet in height and four (4) square feet.
2. Any sign or advertising devices that move and/or fluctuate in lighting or position in any manner are prohibited in shoreline areas.
3. On-premise signs and advertising, whether free-standing or wall mounted, shall not exceed the height of the highest exterior wall.
4. Developments and commercial services located in shoreline areas shall have no more than two (2) on-premise advertising devices or signs.

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D. Environmental Designations and Regulations

1. Urban, Suburban, Rural and Conservancy Environments. Signs are permitted in these environments, provided they are consistent with the Policies and General Regulations.
2. Natural and Natural-Aquatic Environments. Advertising signs are prohibited in the Natural and Natural-Aquatic Environments.

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XII. PARKING AND LOADING

A. Scope and Definition

Any space or area specifically allotted for the purpose of temporary, daily or overnight off-street storage of motor vehicles as an accessory use.

B. Policies

1. Parking should be provided to allow access to any use of shoreline-related activities.
2. Parking areas should not adversely impact the visual qualities of the shorelines.
3. Parking areas should be located inland, away from the immediate edge of the water and recreational beaches, and should be linked with the shoreline by walkways. Where feasible, the walkways should be designed and constructed to accommodate handicap access.

C. General Regulations

1. Parking in shoreline areas must serve a shoreline use.
2. Upland parking facilities within the jurisdiction of this Master Program shall be designed and landscaped to minimize adverse impacts upon adjacent shorelines and abutting properties. The landscaping shall consist of appropriate materials and vegetation, to be planted within one year after completion of construction and provide an effective screening three (3) years after planting.
3. Upland parking facilities within the jurisdiction of this Master Program for shoreline activities shall provide safe and convenient pedestrian circulation within the parking area and to the shorelines.

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4. Parking facilities shall not be permitted over water.
5. Parking areas serving individual buildings on the shoreline shall be located landward from the principal building being served, except when the parking facility is within or beneath the structure and adequately screened or in cases when an alternate orientation would have less adverse impact on the shoreline.

D. Environmental Designations and Regulations

1. Urban, Suburban, Rural, Conservancy and Natural Environments. Parking is permitted consistent with the Policies and General Regulations.

SECTION THREE -- POLICIES AND REGULATIONS FOR USE ACTIVITIES

XIII. PORTS

A. Scope and Definition

A port is an area which may encompass public or private enterprises involved in providing services and facilities for waterborne commerce, airborne commerce, industrial development, commercial development and recreational development.

B. Policies

1. Port facilities should be designed to permit viewing of harbor areas from viewpoints, waterfront restaurants and similar public facilities which would not interfere with port operations or endanger public health and safety.
2. The cooperative use of docking, parking, cargo handling and storage facilities should be strongly encouraged.
3. Prior to allocation of additional shorelands for port uses, local governments should consider State-wide and Regional needs and coordinate planning with other jurisdictions to avoid wasteful duplication of port services.
4. Long-range and facilities planning for the Port property should be a coordinated effort of local governments having jurisdiction so that the resulting development has minimized impacts to adjacent land uses.

SECTION THREE -- POLICIES AND REGULATIONS FOR USE ACTIVITIES

C. General Regulations

1. Proposed uses in a port area shall comply with Policies and Regulations of the use activity section of this Program which is applicable, particularly industrial development, commercial development and boating facilities.
2. All stair towers meeting one of the following conditions must be designed by a licensed civil engineer:
 - a. The location proposed is mapped as "Unstable" or "Intermediate Stability" in the Washington Coastal Zone Atlas prepared by the state Department of Ecology.
 - b. All stair towers 24 feet in height or taller.
 - c. Other instances where the building official determines that site conditions dictate the preparation of plans by a licensed civil engineer.
3. Stair towers shall be designed to minimize obstructing the views enjoyed by adjoining residences.

D. Environmental Designations and Regulations

1. Urban Environment. Port facilities are allowed consistent with the Policies and General Regulations.
2. Suburban Environment. Port-related recreation facilities are allowed as a permitted use.
3. Rural, Conservancy and Natural and Natural-Aquatic Environments. Port facilities are prohibited in these environments.

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XIV. RECREATION

A. Scope and Definition

Facilities for refreshment of body and mind through play, amusement or relaxation. This includes passive uses such as hiking, canoeing, photography and fishing. It also includes intensive uses such as boat ramps, motor vehicles, playgrounds and parks whether they are for public or private usage.

B. Policies

1. Priorities for recreational development of shorelines should relate directly to densities and unique characteristics of the population served. Priorities for acquisition should consider need and special opportunities as well as access by public transit.
2. All recreational development projects should be considered on the basis of their compatibility with the environment.
3. Access to recreational locations such as fishing streams and hunting areas should be planned to prevent concentration of use pressures.
4. The linkage of shoreline parks and public access points through provisions for linear open spaces should be encouraged. Such open space could include hiking paths, bicycle paths and/or scenic drives located as close to the water's edge as feasible.
5. Recreational developments should be designed to preserve, enhance or create scenic views and vistas. Favorable consideration should be given to those projects that complement their environment.
6. Where possible, parking areas should be located inland, away from the immediate edge of the water, and recreational beaches, and should be linked with the shoreline by walkways.

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7. Recreational development should comply with all applicable city, county, state, and federal regulations.
8. Facilities for intensive recreational activities should be permitted only where sewage disposal and pest control can be accomplished to meet public health standards without altering the environment adversely.
9. Development of public fishing piers, underwater fishing reefs, and access to public waters and tidelands should be encouraged as part of an overall recreation plan or development.
10. Where appropriate, nonintensive, recreational use should be encouraged on flood plains that are subject to recurring flooding.
11. Artificial marine life habitats should be encouraged in order to provide increased aquatic life for recreation. Such habitats should be constructed in areas of low habitat diversity.

C. General Regulations

1. Public access points on lakes must provide parking space appropriate for the intended use.
2. Recreation facilities or structures which are not compatible with the environmental designation in which they are proposed are prohibited.
3. Events and temporary uses in the public interest may be approved by the Administrator in any environment, provided that such uses will not damage the wetland environment.
4. Recreational developments must provide facilities for nonmotorized access, such as pedestrian, bicycle and/or equestrian path links to the shoreline.
5. Sewage disposal and pest control must meet public health standards; waste must not be allowed to enter the water.

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6. The following regulations shall apply to artificial aquatic life habitats:
 - a. Habitats shall minimize interference with surface navigation.
 - b. Habitats shall be constructed of long-lasting, nonpolluting materials, and moored so as to remain in their original location even under adverse current or wave action.
 - c. Habitats may not be installed on publicly-owned submerged land without written permission of the administering governmental agency.
7. Public or private recreation areas which cater to the use of all-terrain or off-road vehicles as the primary recreational activity shall not be allowed in the shoreline areas.
8. All stair towers meeting one of the following conditions must be designed by a licensed civil engineer:
 - a. The location proposed is mapped as "Unstable" or "Intermediate Stability" in the Washington Coastal Zone Atlas prepared by the state Department of Ecology.
 - b. All stair towers 24 feet in height or taller.
 - c. Other instances where the building official determines that site conditions dictate the preparation of plans by a licensed civil engineer.
9. Stair towers shall be designed to minimize obstructing the views enjoyed by adjoining residences.

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D. Environmental Designations and Regulations

1. Urban Environment. Recreational use shall be permitted on Urban shorelines, subject to the general regulations and specific regulations.
 - a. Parking facilities shall be located away from the water edge as far as feasible.
 - b. The site shall be landscaped to mitigate any aesthetic conflicts with adjacent uses and the shoreline environment.
2. Suburban Environment. Low to medium intensity recreational uses shall be permitted on Urban-Residential shorelines provided:
 - a. A recreational facility or structure which changes or detracts from the character of the Suburban Environment (by building design or intensity of use) shall be prohibited.
 - b. Vehicular camping facilities, including restrooms, shall not be located within fifty (50) feet of the ordinary high-water mark of any shoreline. Roads and parking facilities within fifty (50) feet of the ordinary high-water mark of any shoreline are only allowed for handicapped access, for scenic viewpoints, or to provide access to boat launch facilities. Maintenance or upgrading of existing roads, parking and/or vehicle camping facilities including restrooms is permitted provided the area devoted to these facilities is not enlarged. Pedestrian and hiking trail access shall be permitted to link upland facilities with the shoreline.

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3. Rural Environment. Low to medium intensity recreational uses shall be permitted on Rural Environment shorelines, subject to the general regulations and following specific regulations.
 - a. A recreational facility of structure which changes or detracts from the character of the Rural Environment (by building design or intensity of use) shall be prohibited.
 - b. Roads, parking and vehicular camping facilities, including restrooms, shall not be located within fifty (50) feet of the ordinary high-water mark of any shoreline with the exception of access to boat launching facilities. Parking facilities and roadways may be within fifty (50) feet only if they provide access for handicap or for scenic viewpoints. Maintenance or upgrading of existing roads, parking and/or vehicle camping facilities including restrooms is permitted provided the area devoted to these facilities is not enlarged. Pedestrian and hiking trail access shall be provided to link upland facilities with the shoreline.

4. Conservancy Environment. Low intensity recreational uses are permitted in the Conservancy Environment provided:
 - a. Roads, parking and vehicular camping facilities, including restrooms, shall not be located within one hundred (100) feet of the ordinary high-water mark of any shoreline with the exception of access to boat launch facilities. Maintenance or upgrading of existing roads, parking and/or vehicle camping facilities including restrooms is permitted. Parking facilities and roadways may be within one hundred (100) feet only if they provide access for handicap or scenic viewpoints. Pedestrian or hiking trail access should be provided to connect upland facilities with the shoreline.
 - b. Whenever possible, landscaping shall be done with native species.

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- c. A recreational facility or structure which changes or detracts from the character of the Conservancy Environment (by building design or intensity of use) shall be prohibited.
 - d. Public or private recreation areas which cater to the use of all-terrain or off-road vehicles as the primary recreational activity shall not be allowed in the shoreline areas.
5. Natural Environment. Low intensity recreational uses may be allowed by Conditional Use Permit in the Natural Environment provided:
- a. Roads, parking or camping facilities including restrooms, are prohibited.
 - b. Use of pesticides, herbicides or fertilizers is prohibited.
 - c. Use of motor vehicles, motorboats and float planes is prohibited, except in the Natural-Aquatic Environment where they are allowed.
 - d. Whenever possible, landscaping must be done with native species.

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XV. RESEARCH AND EDUCATION

A. Scope and Definition

Any development undertaken for the support of public or private research or education.

B. Policies

1. Research studies and educational uses of the shoreline should be conducted in a way to minimize impacts in accordance with the applicable environmental designations.
2. A shoreline permit should be required for research and educational activities which may significantly affect water quality or natural systems.
3. Construction and environmental alterations carried out for research or educational purposes are subject to the same regulations as for associated use activities.

C. General Regulations

1. Research and educational activities are limited to those which will not:
 - a. Jeopardize existing wildlife populations or organisms;
 - b. Permanently alter the character of biological habitats; and
 - c. Degrade the character of the shoreline environment in which they are located.

Temporary disruptions of biological systems may be permitted when a research activity will result in their restoration or improvement.

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2. Permits encompassing a variety of activities over an extended period of time may be granted provided limits on the duration of approval are established.
3. Temporary facilities necessary for the conduct of a research project must be removed at the conclusion of the prescribed research activity period.
4. Proposals for shoreline development or use in or on known sites of historic or scientific value that would adversely affect, damage, or diminish such resources is prohibited. Such proposals may be allowed by Conditional Use if it is shown that the materials, artifacts or resources are recoverable and transferrable through adequate evaluation by a qualified personnel.

D. Environmental Designations and Regulations

1. Urban, Suburban and Rural Environment. The following research and education activities are allowed:
 - a. Water-dependent and water related research activities.
 - b. Construction of permanent structures for research and education activities.
2. Conservancy and Natural Environments. The following research and education activities are allowed:
 - a. Water-dependent and water related research activities.
 - b. Construction of permanent structures for research and education activities may be allowed by a Conditional Use Permit.

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XVI. RESIDENTIAL DEVELOPMENT

A. Scope and Definition

Activity associated with provision of human dwelling facilities, including subdivision of property, accessory buildings common to residential structures and individual utility services to residential units.

B. Policies

1. Residential development on shorelines and wetlands should be planned with minimum adverse environmental and visual impact.
2. Clustering of residential development is encouraged to minimize adverse environmental impact and to provide open spaces.
3. Residential developments created after the effective date of this Program should provide adequate common access to the shoreline and open space along the shoreline for all residences of the subdivision. The access and open space should be of adequate size to provide for recreation and to insure against unreasonable interference with adjacent properties.
4. When subdividing land, the area under shoreline jurisdiction may be set aside as an open space tract even if the tract would be smaller than the minimum lot size requirement in that shoreline environment. The public interest is served by maintaining shoreline property in a relatively undeveloped state, and private interests are furthered by allowing more flexibility in site design.
5. Residential developments created after the effective date of this Program should provide easements for access to or along the shorelines for the general public if there has been significant historical usage by the public. Historic use is regular use by the public over a period of years rather than incidental or occasional use by one or only few members of the public. This policy is not intended to apply to construction of an individual dwelling on a single lot.

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6. Residential development should be consistent with the environmental designation in which it is located as well as the local jurisdiction's land use plans and ordinances. If a conflict arises between the regulations of the Master Program and some other regulation of the local jurisdiction, then the most restrictive standard or density shall prevail.
7. Removal of vegetation should be minimized and any areas disturbed should be restored to prevent erosion and other environmental impacts.
8. Waste materials from construction should not be left on shorelines or beaches but stored upland.
9. A variety of housing types on land should be encouraged provided that they are consistent with the environmental designation criteria and the zoning regulations for the site.
10. Residential structures should be located to minimize obstruction of views of the water from upland areas. The intent of this policy is to encourage the retention of views in and through new residential developments. This policy is not intended to prohibit the development of individual shoreline lots simply because it may minimize or eliminate views from upland properties.
11. Residential development along shorelines should be designed and sited to make unnecessary such protective measures as filling, beach feeding, bulkheading, shoreline berms, construction groins or jetties, or substantial grading of the site.

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C. General Regulations

1. Residential development over water is not permitted.
2. "Submerged lands" within the boundaries of any waterfront parcel shall not be used to compute required lot area, lot dimensions, densities and/or required yards. Wetlands, i.e., marshes, bogs, swamps and tidelands, may or may not be used to compute required lot area, lot dimensions, densities and/or required yards depending upon adopted local policy of the legislative body of each jurisdiction. That portion of a parcel not identified as a submerged land or a wetland shall be referred to as dry land area. Wetlands may be included as open space depending upon adopted local policy of the legislative body of each jurisdiction.
3. Residential development proposals shall identify those areas of natural vegetation, retention and erosion control measures.
4. Residential development shall be arranged and designed to protect views, vistas, aesthetic values to protect the character of the shoreline environment and the views of neighboring property owners.
5. Residential structures shall not exceed thirty-five (35) feet above average grade unless it can be shown through the variance process that a higher structure will not interfere with visual access to the water from landward or adjacent properties. [Exception: See Urban Environment regulation 1.d]
6. Landfill for residential development which results in the creation of new dry land is prohibited.
7. Landfilling in flood hazard areas is allowed only for flood protection.
8. Storm drainage facilities shall be separate from sewage disposal facilities and include provisions, as required by the jurisdiction, to prevent direct entry of surface water runoff into receiving waters (see Utilities and Road Section).
9. Residential developers must demonstrate that ground water withdraws are consistent with state regulations.

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10. New residential subdivisions have the option of setting aside in an open space tract the portion of the property being divided that is under the jurisdiction of this Master Program. The following conditions must be met:
 - a. Restrictive covenants must be filed prior to final subdivision approval prohibiting the use of the open space tract as a building site.
 - b. The open space tract must be clearly identified on the final plat map.
11. All stair towers meeting one of the following conditions must be designed by a licensed civil engineer:
 - a. The location proposed is mapped as "unstable" or "Intermediate Stability" in the Washington Coastal Zone Atlas prepared by the State Department of Ecology.
 - b. All stair towers 24 feet in height or greater.
 - c. Other instances where the building official determines that site conditions dictate the preparation of plans by a licensed civil engineer.
12. Stair towers shall be designed to minimize obstructing the views enjoyed by adjoining residences.
13. Only one (1) dock or pier is permitted in a new residential development. Prior to final project approval of a residential development, a usable area shall be set aside for pier or dock; unless there is no suitable area.
14. New residential developments shall provide general public access to and along shorelines that have been historically used by the public for recreation.

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15. Residential subdivision developments and planned unit developments shall provide areas sufficient to ensure usable access to and along the shoreline area for all residents of the development except where the shoreline topography does not permit the same.
16. Each shoreline environment has a setback requirement for structures, from the ordinary high-water mark. Uncovered porches, decks or steps may project into the required setback provided such structures are no higher than thirty (30) inches above the average grade. The setback in each environment may be increased or decreased by the Administrator in the following way:
 - a. Increased Setback Requirements. The setback may be increased if the building area or setback areas have a slope of greater than forty percent (40%), severe slope instability exists or a feeder bluff is present. (Refer to the Coastal Zone Atlas of Washington, Volume 8, to identify these areas on marine shorelines.)
 - b. Decreased Setback Requirements. The setback may be relaxed provided that existing structures within three hundred (300) feet of each property line infringe on the setback. In such cases, the setback shall be determined by averaging the setback's existing structures within three hundred (300) feet along the waterfront of each property line. This shall not be construed to allow residential development over water. The setback shall be the minimum required in the environment on properties within three hundred (300) feet where residences do not exist for purposes of averaging.
17. Clustering of residential dwellings in all environments except Natural is allowed. The number of clustered lots or residential units encroaching into the shoreline area shall not exceed the number of units which results from multiplying the total acres (minus submerged lands) in shoreline area by the density allowed in the specific environment.

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18. Proposed residential development in the vicinity of aquaculture operations shall install drainage and waste treatment facilities to prevent any adverse impacts to aquaculture operations.
19. Restrictive covenants shall be filed which will inform prospective buyers of the proximity of the Aquacultural District for residential development proposed within or adjacent to an Aquacultural District, or which may be adversely affected by the aquaculture operation. Residential development, which requires plat approval or site plan review, shall be approved subject to a requirement that notice of the proximity of the Aquacultural District be placed on the face of the plat. Another suitable mechanism shall be used to notify new residents when the project does not require plat approval.

D. Environmental Designations and Regulations

1. Urban Environment

- a. Unless otherwise prohibited by local zoning ordinances, any type of residential structure or unit shall be permitted in the Urban Environment.
- b. In the Urban Environment setbacks and minimum lot size of dry land area shall be as specified by the local zoning ordinance, where local zoning does not conflict with other provisions of the Shoreline Master Program. The minimum lot width shall be measured at the ordinary high-water mark and at the building setback line.
- c. Land clearing and grading is permitted after obtaining a shoreline permit, an exemption from the Administrator, or a land clearing permit from the local jurisdiction for preparation of new building sites. A buffer of existing ground cover must be maintained in the area between the ordinary high-water mark and twenty (20) feet from the structure. The ground cover in the buffer may be disturbed only after approval of the Administrator where one or more of the following conditions apply:
 - (1) A building site has been approved in the buffer area and an erosion control and vegetation protection plan has been approved by the Administrator.

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- (2) The applicant wishes to landscape the area with other vegetation and has an erosion control plan approved by the Administrator.
- (3) When the construction of access pathway is proposed for to the shoreline, vegetation will be removed only within the boundaries of constructed access pathway.
- d. On blocks located in the downtown Olympia Urban Waterfront-Housing (UW-H) housing district, structures may be built to a maximum height of 70 feet or less as prescribed by district regulations. These blocks are bounded by the center lines of the following: on the south by 7th Avenue, on the west by Water Street, on the east by Columbia Street, on the north by State Street. (Ordinance #6295, 06/25/02)

2. Suburban Environment

- a. Residential densities in this environment shall not exceed four (4) units per acre, regardless of housing type.
- b. For shoreline lots which are not clustered, the minimum lot size shall be five thousand (5,000) square feet of dry land area and the minimum lot width shall be fifty (50) feet (measured at the ordinary high water mark and at the building setback line). Lot coverage with impervious surfaces in this environment shall not exceed 30 percent (30%).
- c. The basic setback for residential structures shall be fifty (50) feet from the ordinary high-water mark and/or comply with General Regulation #16.

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- d. Land clearing and grading is permitted after obtaining a shoreline permit, an exemption from the Administrator, or a land clearing permit from the local jurisdiction for preparation of new building sites. For existing lots, a buffer of existing ground cover must be maintained in the area between the ordinary high-water mark and twenty (20) feet from the structure. The ground cover in the buffer may be disturbed only after approval of the Administrator where one or more of the following conditions apply:
 - (1) A building site has been approved in the buffer area and an erosion control and vegetation protection plan has been approved by the Administrator.
 - (2) The applicant wishes to landscape the area with other vegetation and has an erosion control plan approved by the Administrator.
 - (3) When the construction of access pathway is proposed for to the shoreline, vegetation will be removed only within the boundaries of constructed access pathway.

- e. On rivers and streams with a flow greater than 20 cubic feet per second (cfs) a "natural area" buffer is required when land is platted or re-platted. This buffer is a strip of land beginning at the ordinary high-water mark and extending landward for one hundred (100) feet. The following conditions must be met:
 - (1) The buffer must be clearly identified as "open space" on the final plat map.
 - (2) Restrictive covenants must be filed prior to final subdivision approval prohibiting the use of the buffer as a building site and prohibiting the removal of native vegetation unless necessary for access pathways.

- f. For new subdivisions, connection to sewers or installation of dry-line sewers is required.

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3. Rural Environment

- a. Residential densities in this environment shall not exceed two dwelling units per acre, regardless of housing type.
- b. For shoreline lots which are not clustered, the minimum lot size shall be twenty thousand (20,000) square feet of dry land area and the minimum lot width shall be one hundred (100) feet (measured at the ordinary high water mark and at the building setback line). Lot coverage with impervious surfaces in this environment shall not exceed thirty percent (30%).
- c. The basic setback for residential structures shall be fifty (50) feet from the ordinary high-water mark and/or comply with General Regulation #16.
- d. Land clearing and grading is permitted after obtaining a shoreline permit, an exemption from the Administrator, or a land clearing permit from the local jurisdiction for preparation of new building sites. A buffer of existing ground cover must be maintained in the area between the ordinary high-water mark and twenty (20) feet from the structure. The ground cover in the buffer may be disturbed only after approval of the Administrator where one or more of the following conditions apply:
 - (1) A building site has been approved in the buffer area and an erosion control and vegetation protection plan has been approved by the Administrator.
 - (2) The applicant wishes to landscape the area with other vegetation and has an erosion control plan approved by the Administrator.
 - (3) When the construction of access pathway is proposed for to the shoreline, vegetation will be removed only within the boundaries of constructed access pathway.

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4. Conservancy Environment

- a. Residential densities shall not exceed one (1) unit per acre regardless of housing type.
- b. For shoreline lots not clustered, the minimum lot size shall be forty thousand (40,000) square feet of dry land area and the minimum lot width shall be one hundred (100) feet (measured at the ordinary high water mark and at the building setback line). Lot coverage with impervious surfaces in this environment shall not exceed thirty percent (30%).
- c. The basic setback for residential structures shall be one hundred (100) feet from the ordinary high-water mark and/or comply with General Regulation #16.
- d. Land clearing and grading is permitted after obtaining a shoreline permit, an exemption from the Administrator, or a land clearing permit from the local jurisdiction for preparation of new building sites. A buffer of existing ground cover must be maintained in the area between the ordinary high-water mark and twenty (20) feet from the structure. The ground cover in the buffer may be disturbed only after approval of the Administrator where one or more of the following conditions apply:
 - (1) A building site has been approved in the buffer area and an erosion control and vegetation protection plan has been approved by the Administrator.
 - (2) The applicant wishes to landscape the area with other vegetation and has an erosion control plan approved by the Administrator.
 - (3) When the construction of access pathway is proposed for to the shoreline, vegetation will be removed only within the boundaries of constructed access pathway.

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5. Natural Environment

- a. Minimum lot area shall be ten (10) acres.
- b. Minimum lot width shall be three hundred (300) feet (measured at the ordinary high water mark and at the building setback line).
- c. The basic setback for residential structures shall be one hundred (100) feet from the ordinary high-water mark and/or comply with General Regulation #16.
- d. Single-family residences are permitted and multifamily residences are prohibited.
- e. The removal of trees and other vegetation shall be kept to an absolute minimum in constructing a residence in a Natural Environment. This would prohibit cutting out areas for a view, lawn or garden.

XVII. ROAD AND RAILROAD DESIGN AND CONSTRUCTION

A. Scope and Definition

Roads and railroads are those passageways, and associated facilities and activities used by or associated with pedestrians, vehicles and trains, including but not limited to: all public and private roads; major highways; freeways; railways; the corridors in which they are placed; bridges; culverts; riprapping; landfills; cuts; turnouts; rest stations; viewpoints; picnic areas; landscaping; and soil erosion safeguards.

B. Policies

1. Major highways, freeways and railways should be located away from shorelands, except in port and industrial areas, so that shoreland roads may be reserved for slow-moving local or recreational traffic.
2. Road and railroad locations should be planned to fit the topography and utilize existing corridors so that minimum alterations of natural conditions will be necessary. This is especially important on flood plains.
3. Roads and railroads should be designed, constructed, and maintained to minimize erosion and to permit natural movement of ground water and flood waters to the extent practical.
4. All debris, overburden, and other waste materials from construction should be disposed of in such a way as to prevent their entry by erosion from drainage, high water, or other means into any surface water body.
5. Scenic corridors containing public roadways should have provision for safe pedestrian and other nonmotorized travel. Also, provisions should be made for viewpoints, rest areas, and picnic facilities in appropriate areas.
6. Railroad beds should be screened with trees in scenic areas.

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C. General Regulations

1. Excess construction materials shall be removed from the shoreline area.
2. Major roads and railroads shall cross shoreline areas by the shortest, most direct route feasible, unless such route would cause significant environmental damage.
3. Filling of tidelands, shorelands and marshes for road or railroad rights-of-way shall be prohibited unless no viable alternative exists.
4. All excavation materials and soils exposed to erosion by all phases of road, bridge and culvert work shall be stabilized and protected by seeding, mulching or other effective means, both during and after construction.
5. All debris, overburden and other waste materials from road and railroad construction, if permitted on shorelines, shall be disposed of in such a way as to minimize their entry by erosion from drainage into any water body.
6. Private roads shall follow natural contours where possible. Natural benches, ridge tops and flat slopes are preferred locations. Erodible cuts and filled slopes shall be protected by planting or seeding with appropriate ground cover or matting immediately following construction.
7. Where permitted to parallel shorelines, roads or railroads shall be setback a sufficient distance from the ordinary high-water line to leave a usable shoreline area.
8. Storm water runoff shall be controlled to reduce suspended solids before entering any surface water body.

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D. Environmental Designations and Regulations

1. Urban, Suburban, Rural and Conservancy Environments. The following roads and railroads are permitted:
 - a. Local public or private access roads to serve uses permitted in the Urban, Suburban, Rural and Conservancy Environment.
 - b. Transportation thoroughfares including major arterials, highways and railways.
2. Natural Environment. Access roads are permitted in the Natural Environment subject to the Policies and General regulations. Construction of new roads or significant widening of existing roads is prohibited, except for those that provide access to private residences or other activities permitted in the Natural Environment.

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XVIII. SHORELINE PROTECTION

A. Scope and Definition

Shoreline protection is action taken to reduce adverse impacts caused by current, flood, wake or wave action. This action includes all structural and nonstructural means to reduce these impacts due to flooding, erosion and accretion. Specific structural and nonstructural means included in this use activity are bulkheads, dikes, levees, riprap, sea walls, shoreline berms, beach feeding and breakwaters.

B. Policies

1. Structural solutions to reduce shoreline damage should be allowed only after it has been demonstrated that nonstructural solutions would be unable to prevent further damage.
2. Shoreline protection devices should not be allowed for the purpose of creating new land, except that within the north basin of Capitol Lake, shoreline protection structures may be allowed in conjunction with permitted fill activities that enhance and increase public access.
3. Shoreline protection structures should allow passage of ground and surface waters into the main water body, such as weep hole.
4. The use of riprap structures is a preferred shoreline protection structure.
5. Shoreline protection activities should consider the ecological system of sizeable reaches of rivers, lakes or marine shorelines. This consideration should be given to factors such as off-site erosion, accretion or flood damage that might occur as a result of shoreline protection structures or activities. All uses and activities should be developed in a coordinated manner among affected property owners and public agencies.
6. Erosion, littoral drift, and accretions are primary components of the dynamic geohydraulic process that has created much of the unique and scenic shoreline. Therefore, shoreline protective structures should be located, designed and maintained in a manner which protects the integrity of these natural processes.

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7. Shoreline protection structures should be allowed to prevent damage to agricultural lands, public roads and bridges, existing structures and areas of unique public interest.
8. Shoreline stabilization projects should be located landward of natural wetlands, marshes and swamps of associated fresh and marine waters.
9. Substantial stream channel modification, realignment and straightening should be discouraged as a means of shoreline protection.
10. Junk and solid waste materials should not be permitted for shoreline protection.
11. Existing natural features such as snags, stumps or uprooted trees which support fish and other aquatic systems should not be removed unless they significantly intrude on navigation, reduce flow, or threaten agricultural land or existing structures and facilities. These activities may also require a Hydraulics Permit pursuant to WAC 220.
12. Breakwaters should be floating structures anchored in place and should not impede longshore sand and gravel transport unless such impedance is found to be beneficial to the natural system.

C. General Regulations

1. A shoreline permit or an exemption from the Administrator shall be required prior to all new construction of protective structures.
2. Vegetation shall be maintained on all streambanks except where removal is necessary for a permitted activity. If feasible, vegetation shall be re-established in areas where it has been removed for a permitted activity. In such instances, vegetation shall be re-established as soon as possible following its removal.
3. Techniques utilizing totally or in part vegetative bank stabilization methods shall be preferred over structural methods (such as concrete revetments or extensive riprap) unless the shoreline administrator determines that such methods will not provide adequate protection. This is not intended to preclude a combination of structural and vegetative methods.
4. Protective structures shall be allowed only when evidence is presented that one of the following conditions exist:

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- a. Erosion or an active feeder bluff is threatening agricultural land, public roads or bridges, existing structures or areas of unique public interest.
 - b. It is necessary to the operation and location of shoreline dependent and related activities consistent with this Master Program.
 - c. The request is for the repair or replacement of an existing protection device.
 - d. The request is to increase and enhance public access within the north basin of Capitol Lake.
5. Protective structures shall be placed as close to the existing bank as feasible and parallel the natural shoreline. When they are proposed between two adjacent existing structures, the Administrator may allow it to extend out to form a straight line with the protective structure on each side. This shall only be allowed where no adverse impact will occur.
 6. Riprap structures shall be preferred to concrete revetments.
 7. Protective structures shall allow for the passage of surface and ground waters. Ponding and/or soil saturation is not permitted to occur.
 8. The height of structures shall not be more than that necessary to accomplish the protection needed.
 9. Use of beach material for backfill is prohibited.
 10. Shoreline protection structures shall not be allowed for the purpose of creating new land. Within the north basin of Capitol Lake shoreline berms or dikes shall be allowed in conjunction with fill activities that increase and enhance public access, subject to the following conditions:
 - a. The proposed fill is adequately mitigated through the creation of additional aquatic habitat in the basin; and

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- b. Water quality is maintained or enhanced; and
 - c. The shoreline protection structure shall have the smallest footprint necessary to accommodate public access to the shoreline; and
 - d. Construction methods used to build a shoreline protection structure shall utilize the best available technology and best management practices to mitigate all significant adverse impacts on water quality; and
 - e. Wetland areas proposed to be filled shall meet all provisions of Chapter 9, Landfilling, and meet all replacement and enhancement requirements of the City of Olympia Critical Areas Ordinance; and
 - f. All significant adverse impacts associated with placing a shoreline protection structure and fill waterward of the ordinary high water mark must be identified and mitigated in an environmental impact statement.
- 11. When feasible, steps shall not extend waterward of a proposed protective structure.
 - 12. Breakwaters must be floating structures and will only be allowed for the protection of uses authorized by this Program.
 - 13. Breakwaters must be designed and certified by a licensed engineer to withstand the storm forces which will be encountered.

D. Environmental Designations and Regulations

- 1. Urban, Suburban, Rural and Conservancy Environments. Shoreline protective measures are permitted subject to the Policies and General Regulations.
- 2. Natural Environment. Shoreline protective measures are not permitted except for shoreline protective berms of natural materials, beach feeding or vegetative bank stabilization measures used for the purpose of natural shoreline enhancement or protection.

SECTION THREE -- POLICIES AND REGULATIONS FOR USE ACTIVITIES

XIX. SOLID WASTE DISPOSAL

A. Scope and Definition

Solid waste disposal means the temporary or permanent disposal, treatment, utilization, processing or holding of solid wastes, including but not limited to sanitary landfills, incineration, compositing, dumping, grinding, salvage, reclamation and waste transfer stations.

"Solid waste" includes all putrescible and nonputrescible solid and semi-solid wastes, including garbage, rubbish, ashes, industrial and wood wastes, swill, demolition and construction wastes, abandoned vehicles and parts of vehicles, household appliances and other discarded commodities. "Solid waste" does not include liquid sanitary sewage, dredge spoils, or agricultural and commercial logging wastes. (Refer to sections on "Landfilling and Dredging" and "Agriculture.")

B. Policies

1. Provisions should be made to limit and to control litter in shoreline areas.
2. Material should not be imported into shoreline areas for the purpose of disposing of it as solid waste.
3. Disposal of inert material in water areas should be prohibited unless the material is used for a constructive purpose such as landfill or wildlife habitat. The use of that material would then be governed by the policies and regulations of the constructive use to which it is placed.
4. Disposal of non-biodegradable waste should not be allowed within the shoreline.

SECTION THREE -- POLICIES AND REGULATIONS FOR USE ACTIVITIES

C. General Regulations

1. Solid waste disposal within the jurisdictional limits of the Shoreline Management Act shall be limited to collection activities.
2. Solid Waste disposal shall be in conformance with the Thurston County Comprehensive Solid Waste Management Plan.

D. Environmental Designations and Regulations

1. Urban, Suburban, Rural, Conservancy and Natural Environments. The following solid waste disposal facilities are allowed within the shoreline:
 - a. Garbage cans; and
 - b. Drop boxes.

SECTION THREE -- POLICIES AND REGULATIONS FOR USE ACTIVITIES

XX. UTILITIES

A. Scope and Definition

Utilities are those facilities which transport or produce water, electric power, oil, gas, steam, storm water, sewage, communications and industrial wastes. The installation of these facilities disturbs the shoreline environment and should be developed with minimal visual and physical effects on the environment.

B. Policies

1. Wherever utilities must be placed in a shoreline area, the locations should be chosen so as not to obstruct or destroy scenic views. Utilities should be placed underground, or designed to do minimal damage to the aesthetic qualities of the shoreline area.
2. Where construction connected with utility placement occurs on shorelines, banks should be restored to their pre-project configuration, replanted with native species and maintained until the new vegetation is established.
3. Sewage treatment, water reclamation, desalinization and power plants should be designed and located so as not to interfere with, and to be compatible with recreational, residential or other public uses of the water and shorelands.
4. Sewage outfalls to waterbodies should be avoided in preference to recycling or land disposal of sewage wastes. Where no alternative to outfalls into water exist, location of such outfalls should be part of the appropriate regional plan for solutions to sewage management problems.
5. Utility rights-of-way should be used for public access to and along waterbodies where feasible.

SECTION THREE -- POLICIES AND REGULATIONS FOR USE ACTIVITIES

6. If utilities must be located over the water, they should be placed on bridge-like structures rather than fill, and said structures should provide clearance for all marine vessels normally using the area.
7. New major transmission facilities should follow existing utility corridors unless prohibited by the environmental designation and regulations.

C. General Regulations

1. Applicants for permits to locate utility lines in the shoreline jurisdictional area shall submit a location plan with their application which shows existing utility routes in the vicinity of the proposed utility line. The proposed utility lines shall follow existing utility, natural drainage or transportation routes where feasible.
2. All utility facilities shall be located on lots or routes no larger than necessary.
3. The approved projects shall identify a method of reclamation which provides for revegetation and protection of wetland areas from erosion. As a minimum, this shall include the restoration of the affected area to pre-development elevation, replanted with native or pre-existing species and provisions for maintenance care for the newly planted or seeded vegetation until it is established.
4. Utility services accessory to individual projects shall be regulated by the specific use regulations for the activity in addition to the standards of this section and shall not require separate Substantial Development Permits for utility service installations.
5. Where feasible, utilities shall be placed underground unless such undergrounding would be economically or technically prohibitive or significantly detrimental to the environment.

SECTION THREE -- POLICIES AND REGULATIONS FOR USE ACTIVITIES

6. Utility facilities shall be designed for minimal environmental and aesthetic impact and shall be coordinated with local comprehensive plans.
7. Underwater utilities shall be located at a depth sufficient to prevent interference between the utility and other shoreline use activities.
8. All utility facilities must provide safeguards to ensure that no long-term damage will be caused to the adjacent or downstream environment should an accident occur involving the utility.
9. No discharge of waste material which could result in decertification of aquacultural areas or products or cause lowering of water quality ratings is permitted.
10. No new hydroelectric generating facilities are allowed on the Nisqually River pursuant to the recommendations of the Nisqually River Management Plan.

D. Environmental Designations and Regulations

1. Urban and Rural Environments. The following utility facilities are allowed in the Urban and Rural Environments:
 - a. Utility lines.
 - b. Control, collection or distribution facilities including, but not limited to, telephone exchanges, sewage treatment plants, water reservoirs, electrical substations and gas metering stations.
 - c. Power generating facilities except on the Nisqually River and transmission lines.

SECTION THREE -- POLICIES AND REGULATIONS FOR USE ACTIVITIES

2. Suburban Environment. The following utility facilities are allowed in the Suburban environment:
 - a. Utility lines.
 - b. Control, collection or distribution facilities including, but not limited to, telephone exchanges, sewage treatment plans, water reservoirs, electrical substations and gas metering stations.
 - c. Transmission lines.
3. Conservancy Environment. The following utility facilities are allowed in the Conservancy Environment by Conditional Use Permit:
 - a. Utility distribution lines
 - b. Utility transmission lines
4. Natural Environment. Utilities are not permitted in the Natural Environment, with the exception of necessary utilities to single-family residences and public recreation facilities, in accordance with regulations for such utilities in the Residential Development section.

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