

# CHAPTER ELEVEN

## SHORELINE MASTER PROGRAM

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### Map

Federal Way Shoreline Management Plan – Federal Way and its Potential Annexation Area

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## 11.0 PURPOSE AND RESPONSIBILITY

Washington’s Shoreline Management Act, Chapter 90.58 RCW (SMA), was passed by the State Legislature in 1971 and adopted by the public in a referendum. The SMA was created in response to a growing concern among residents of the state that serious and permanent damage was being done to shorelines by unplanned and uncoordinated development. The goal of the SMA is, “...to prevent the inherent harm in an uncoordinated and piecemeal development of the state’s shorelines.” The overarching SMA policy is to manage shorelines of the state by planning for and supporting reasonable and appropriate uses while protecting against adverse impacts to public health, the land and its vegetation and wildlife, and the waters of the state and their aquatic life.



The primary responsibility for administering the SMA is assigned to local governments through the mechanism of Shoreline Master Programs (SMP), adopted under guidelines established by the Washington State Department of Ecology (“Ecology”). The Ecology guidelines (WAC 173-26) establish goals, policies, and standards. Local SMPs contain goals and policies, maps, regulations and development standards, and permitting procedures consistent with the SMA and Ecology guidelines. The SMP is required to protect shorelines as a statewide resource while also being tailored to the specific conditions and needs of individual communities. The SMP is also meant to be a comprehensive vision of how the shoreline area will be used and developed over time.

According to Substitute Senate Bill (SSB) 6012, passed by the 2003 Washington State Legislature, cities within King County are required to amend their local SMPs consistent with Ecology’s revised guidelines. The required update process also provides cities with an opportunity to incorporate the changes in the physical shoreline conditions (including annexations) and integrate current technical and scientific information into the SMP.

At the time of incorporation in 1990, the City of Federal Way (“City”) adopted King County’s Shoreline Master Program (SMP). The City developed and adopted its own SMP in 1998 that integrated the SMP into the *Federal Way Comprehensive Plan* (FWCP). In 1999, the City adopted associated development regulations for the shoreline. As of January 2005, newly annexed areas included the eastern shore of North Lake and the northwestern shore of Lake Killarney. All of the lakes within the City’s potential annexation area (PAA) are governed by county shoreline regulations.

The goals and policies contained in the SMP are incorporated into the FWCP within this Shoreline Master Program chapter. Development regulations contained in the SMP are incorporated in the *Federal Way Revised Code* (FWRC) Title 15, Shoreline Management.

## 11.1 SHORELINE JURISDICTION

Under the SMA, the shoreline jurisdiction includes waters that have been designated as “shorelines of statewide significance” or “shorelines of the state” and adjacent lands or “shorelands.” Shoreline jurisdiction includes all the designated water bodies and the land underlying them, plus their associated shorelands, which includes land extending landward for two hundred feet in all directions from the ordinary high water mark (OHWM), floodways, and contiguous floodplain areas landward 200 from those floodways, and all wetlands and river deltas associated with the streams, lakes, and tidal waters subject to the SMA.

These designations were established in 1972, and are described in the SMA (RCW 90.58.030[2]). Generally, “shorelines of statewide significance” include portions of Puget Sound and other marine waterbodies; rivers west of the Cascade Range that have a mean annual flow of 1,000 cubic feet per second (cfs) or greater; rivers east of the Cascade Range that have a mean annual flow of 200 cfs or greater; and freshwater lakes with a surface area of 1,000 acres or more. “Shorelines of the state” are generally described as all marine shorelines and shorelines of all other streams or rivers having a mean annual flow of 20 cfs or greater and lakes with a surface area greater than 20 acres.

The shoreline jurisdiction within the city limits of the City of Federal Way encompasses approximately 16.9 miles of shoreline. It includes all of the Puget Sound shoreline in Federal Way (about 4.8 miles), including areas waterward of the OHWM which extend to the line of extreme low tide. Approximately 12.1 miles of shoreline are found along freshwater lakes. The lakes currently within the city limits are:

- Steel Lake
- The northwestern shore of Lake Killarney
- North Lake

There are no rivers or streams meeting the definition of “shorelines of the state” within the City or its annexation area. However, streams such as Joe’s Creek and Lakota Creek discharge to the Puget Sound shoreline. The mouths of these streams and the upstream extent of tidal influence are considered under shoreline jurisdiction because of their association with the Puget Sound shoreline. Five freshwater lake shorelines are located in the City’s PAA and are included in this master program update; these include Star Lake, Lake Dolloff, Lake Geneva, the remaining portion of Lake Killarney, and Five Mile Lake.

The portions of Puget Sound within the city limits waterward of the line of extreme low tide are defined as “shorelines of statewide significance” (RCW 90.58.030[2][e][iii]).

Under the SMA, the shoreline area to be regulated under the City’s SMP must include marine waters, lakes, and shorelands, defined as the upland area within 200 feet of the OHWM, as well as any associated wetlands (RCW 90.58.030). The shoreline jurisdiction of the City of Federal Way is shown in Map XI-1 (maps are at the end of the chapter).

## 11.2 COMPLIANCE IN FEDERAL WAY

The SMA establishes a cooperative program of shoreline management between local government and the state. The state’s primary role is to support local government and provide assistance, as well as reviewing some shoreline permits and reviewing and approving amendments to local SMPs. The SMA requires three primary tasks to be fulfilled by local governments:

1. Compilation of a comprehensive inventory that includes a survey of natural characteristics, present land uses, and patterns of property ownership;
2. Development of a master program to provide an objective guide for regulating the use of shorelines, consistent with the SMA (RCW 90.58) and its provisions, including the SMP guidelines (Chapter 173-26 WAC) and shoreline permitting and enforcement procedures (Chapter 173-27 WAC); and
3. Administration of a shoreline permit system for proposed substantial development and regulated uses in designated water bodies and on their associated shorelands.

In compliance with the first requirement of the SMA, the City completed a comprehensive inventory of natural characteristics, functions and values of resources, existing land use, and ownership patterns along the City’s shorelines (Section 2 of the Shoreline Master Program – *Shoreline Inventory*). This inventory was completed in August 2006 and finalized in June 2007.

The second requirement of the SMA was met by the City with the help of local citizens and stakeholders, who assisted in developing goals and policies, which form the foundation for the SMP.

## 11.3 PUBLIC INVOLVEMENT

To conduct the SMP update, City staff and ESA Adolfson prepared draft components of the City’s SMP, worked with a Citizen’s Advisory Committee (CAC), sought review from a Technical Advisory Committee (TAC), and presented findings to the Planning Commission and the City Council Land Use/Transportation Committee (LUTC). At the start of the project in February 2006, a Public Participation Plan was developed and used as a guide during the SMP update. A public Open House was held on June 7, 2006, to introduce the process to the public and shoreline residents. The Open House was

advertised with direct mailings to all shoreline owners as well as public notices on the City’s website. Six meetings were held with the CAC between July and December 2006. Citizen comment was integrated into the shoreline inventory, shoreline environment designations, and goals & policies section of the SMP. Technical documents were routed to the TAC, including Ecology staff, for review and comment. Other agencies involved in the process included Washington Department of Fish and Wildlife, Washington Department of Natural Resources, King County, neighboring cities, and the Tribes.

Three meetings were held with the Planning Commission to present findings and discuss recommendations. The Planning Commission meetings were held on February 14, March 28, and April 4, 2007. A public hearing was held during the April 4, 2007 meeting.

Approximately 20 citizens testified either at the public hearing or during public testimony during the March 28<sup>th</sup> Planning Commission meeting.

Additional public comment was taken and response given during the LUTC meeting on May 21, 2007. The City Council passed the SMP by resolution on June 5, 2007.



In July of 2007, the Council-approved SMP was submitted to Ecology for review and comment. The City of Federal Way received official Ecology review comments in January 2009. City staff, ESA Adolfson, and Ecology staff worked collaboratively to prepare draft revisions to the SMP that responded to the official Ecology comments. Former members of the SMP CAC, TAC, shoreline property owners, public agencies, and other parties of interest were notified of the availability of the revised SMP documents. On August 4, 2010, a public information meeting was conducted to discuss the revisions to the SMP. On August 25, 2010, the Planning Commission conducted a public hearing on the proposed revisions to the SMP and forwarded a recommendation to approve the proposed revisions. The LUTC considered the revisions on October 5, 2010, and forwarded a recommendation to approve the proposed revisions with a few minor modifications. The City Council passed the revised SMP by resolution on October 19, 2010.

A programmatic environmental checklist was prepared for the SMP Update. Pursuant to the State Environmental Policy Act (SEPA), the City’s SEPA Official issued a Determination of Nonsignificance (DNS) on March 31, 2007. The public comment period was open on the DNS for approximately 30 days. The appeal period expired on April 28, 2007.

## 11.4 RELATIONSHIP TO CITY CODE

The set of shoreline goals and policies in this chapter provide the foundation and framework on which the balance of the master program has been based. The policies contained herein are enforced through FWRC Title 15, “Shoreline Management,” and any other applicable sections of the FWRC. Article II of FWRC Chapter 15.05 includes all of the shoreline regulations that enforce the goals and policies of the SMP. The following is a list of the primary subsections of Chapter 15.05, Article II. These sections are listed here to illustrate how the SMP goals and policies are linked to the regulatory document.

FWRC Chapter 15.05 (Shoreline Management), Article II (Shoreline Regulation):

- **15.05.040 – General development standards.** Provides standards consistent with the Conservation and Restoration, Historic and Cultural Resources, and Public Access and Recreation elements of this Chapter. This section of Article II adopts Critical Areas and Flood Damage Reduction regulations (as Chapter 15.10 and Chapter 15.15 of Title 15).
- **15.05.050 – Shoreline modifications.** Provides standards specific to shoreline modifications consistent with the Shoreline Use and Conservation and Restoration elements of this Chapter.
- **15.05.060 – Environment designations.** Introduces the system of environment designations, consistent with the Shoreline Environments section of this Chapter.
- **15.05.070 – Summary of Uses, Approval Criteria and Process.** Provides a graphical summary of the use and development regulations detailed in other sections of Article II.
- **15.05.080 – Shoreline residential environment.** Provides regulations specific to the shoreline residential environment, consistent with the goals and policies for the shoreline residential environment within this Chapter.
- **15.05.090 – Urban conservancy environment.** Provides regulations specific to the urban conservancy environment, consistent with the goals and policies for the urban conservancy environment within this Chapter.
- **15.05.100 – Natural environment.** Provides regulations specific to the natural environment, consistent with the goals and policies for the natural environment within this Chapter.

## 11.5 SHORELINE USE ELEMENT

This element addresses the distribution, location, and extent of use of shorelines and adjacent areas for housing, recreation, transportation, office, public buildings, utilities, education, and other uses. The shorelines in Federal Way are more widely used for residential purposes than for any other use. Much of the undeveloped shoreline is privately owned, subdivided into small lots, and zoned to permit residential development.

### Goal

- SMPG1** *Shoreline areas shall permit a variety of development types in accordance with the FWRC, FWCP, and Shoreline Master Plan designations. Designs, densities, and locations for all allowed uses and developments should consider physical and natural features of the shoreline and prevent a net loss of shoreline ecological functions.*

### Policies

- SMPP1** Shoreline land and water areas particularly suited for specific and appropriate uses should be designated and reserved for such uses.
- SMPP2** Shoreline land and water uses should satisfy the economic, social, and physical needs of the regional population, but should not lead to a net loss of ecological functions in the shoreline areas.



- SMPP3** Like or compatible shoreline uses should be clustered or distributed in a rational manner, rather than allowed to develop haphazardly.
- SMPP4** Multiple uses of shoreline should be encouraged where location and integration of compatible uses or activities are feasible.
- SMPP5** Shoreline ecological functions should be protected from uses or activities that will have an adverse effect on them.
- SMPP6** Non-residential uses or activities that are not shoreline dependent should be encouraged to locate or relocate away from the shoreline.
- SMPP7** Federal Way should consider the goals, objectives, and policies of the SMP in all land use management decisions regarding the use or development of adjacent uplands where such use or development may have an adverse effect on designated shorelines.
- SMPP8** Development should be regulated accordingly in shoreline areas known to contain development hazards or which would adversely impact designated critical areas as identified in FWRC Title 15.
- a. All development should be prohibited within the 100-year floodplain, except single-family residential and water-dependent or water-related uses.
  - b. All development should be prohibited in shoreline areas of severe or very severe landslide hazard.
  - c. All development should be regulated in shoreline areas with slopes of 40 percent or greater.
  - d. Shoreline areas containing other potential hazards (e.g., geological conditions, unstable subsurface conditions, erosion hazards, or groundwater or seepage problems) should be regulated as necessary to avoid unsafe development and disturbance of sensitive areas.
- SMPP9** Promote respect of private property rights while implementing SMA requirements.





## Goal

**SMPG2** *Residential use of shoreline areas should be continued and encouraged in areas that have not been designated as Natural environments by the SMP, allowing a variety of housing types. New development or redevelopment of residential uses should cause no net loss of shoreline ecological function as identified in the SMP's Shoreline Inventory Characterization and Analysis.*

## Policies

**SMPP10** Residential developments should be designed to achieve no net loss of shoreline ecological functions and minimize interference with visual and physical access. Unavoidable impacts to the shoreline environment from residential development should be mitigated to assure no net loss of shoreline ecological functions.



- a. Residential development in designated critical areas or their associated buffers should be regulated as required by the City's SMP regulations.
- b. Residential development on piers or over water is prohibited.
- c. Landfill for residential development that reduces water surface or floodplain capacity shall not be permitted.
- d. In residential developments, the water's edge should be kept free of buildings and fences.
- e. Development standards should require the retention of natural shoreline vegetation and other natural features of the landscape to the greatest extent possible during site development and construction.

**SMPP11** Residential use of shorelines should not displace or encroach upon areas that have existing or are designated as supporting water-dependent shoreline uses.

**SMPP12** Residential densities should be determined with regard for the physical capabilities of the shoreline areas and public services requirements and include the following considerations:

- a. Subdivisions and new development should be designed to adequately protect aesthetic characteristics of the water and shoreline environment.
- b. New residential development should only be allowed in those shoreline areas where the provision for sewage disposal and drainage ways are of such a standard that adjoining water bodies would not be adversely affected by pollution or siltation.
- c. Residential development along shorelines should be setback from the ordinary high water mark far enough to make unnecessary such protective measures as filling, bulk heading, construction groins, or jetties, or substantial re-grading of the site.
- d. Residential developments should be designed to enhance the appearance

of the shoreline and not substantially interfere with the views from public property or access to the water.

- e. The shoreline ecosystems, processes, and functions identified in the Shoreline Inventory and Characterization should be considered when determining standards for residential development patterns within the shoreline environment.

**SMPP13** Residential subdivisions in shoreline areas should provide public pedestrian access to the shorelines within the development in accordance with the public access and recreation element of this master program.

**SMPP14** Developers of recreational projects such as summer homes, cabins, campgrounds, and similar facilities should satisfactorily demonstrate:

- a. The suitability of the site to accommodate the proposed development without adversely affecting the shoreline environment and water resources.
- b. Adequate provisions for all necessary utilities, including refuse disposal.

## Goal

**SMPG3** *Shoreline areas designated by the FWCP and the SMP to allow for commercial development shall permit a variety of commercial and office park development types. New development or expansion of existing commercial and office uses should result in no net loss of shoreline ecological functions.*

## Policies

**SMPP15** Consideration should be made of the effect a structure will have on scenic value, and when feasible, should include opportunities for public access to shoreline areas.

**SMPP16** Commercial and office structures and ancillary facilities that are not shoreline dependent or water-oriented should be setback from the water's edge and designed to avoid adverse impacts to shoreline ecological functions.

**SMPP17** The use of porous materials and other low impact development design alternatives should be encouraged for paved areas to allow water to penetrate and percolate into the soil. Use of holding systems should be encouraged to control the runoff rate from parking lots and rooftops.

**SMPP18** Commercial and office development located within shoreline areas should be constructed to withstand normal rain and flooding conditions without contributing pollution to the watercourse or shoreline. State and local best management practices should be implemented to protect the natural shoreline environment from impacts associated with stormwater runoff.

**SMPP19** Commercial and office development that is not water-dependent should provide a buffer zone of native vegetation for erosion control.

**SMPP20** Commercial aquaculture activities should be prohibited.

## Goal

- SMPG4** *Regional and subregional utility facilities, including communications, (radio, TV, and telephone), energy distribution (petroleum products, natural gas, and electricity), water, sanitary sewers, and storm sewers should not be allowed in shoreline areas unless there is no alternative location. Design, location, construction, and maintenance of utility facilities must comply with the requirements of SMP regulations and other federal, state, and local laws, and result in no net loss of shoreline ecological functions.*

## Policies

- SMPP21** Utilities that could allow for growth should not be extended into or along shorelines without prior approval of such extension by the appropriate land use authority.
- SMPP22** Utilities located in shoreline environments inappropriate for development should not make service available to those areas.
- SMPP23** In developed shorelines not served by utilities, utility construction should be encouraged to locate where it can be shown that water quality will be maintained or improved.
- SMPP24** Federal Way should be consulted prior to, or at the time of, application for construction of regional utility facilities to be located in or along shorelines.
- SMPP25** Utility corridors crossing shorelines should be encouraged to consolidate and concentrate or share rights-of-way where:
- a. Public access or view corridors would be improved.
  - b. Concentration or sharing would not hinder the ability of the utility systems to be installed, operated, or maintained safely.
  - c. Water quality would be as good as or better than if separate corridors were present.
- SMPP26** Public access should be encouraged where rights-of-way for regional utility facilities cross shorelines in the City, and where public safety and facility security would not be compromised.
- SMPP27** New utility facilities should be located so as to not require extensive shoreline protection nor to restrict water flow, circulation, or navigation.
- SMPP28** New utility facilities and rights-of-way should be located to preserve the natural landscape and minimize conflicts with present and planned uses of the land on which they are located.
- SMPP29** New utility facilities and rights-of-way should be located and designed to minimize detrimental visual impacts from the water and adjacent uplands.

- SMPP30** New freestanding personal wireless service facilities are prohibited from locating within the shoreline environment.

### Goal

- SMPG5** *Limit shoreline stabilization—which includes any action taken to reduce adverse impacts caused by current, flood, wake, or wave action—including the use of bank stabilization, rip rap, and bulk heading, to that which is necessary to protect existing improvements.*

### Policies

- SMPP31** Shoreline stabilization should be allowed only if it is clearly demonstrated that shoreline protection is necessary to protect existing improvements.
- SMPP32** Structural solutions to reduce shoreline erosion should be allowed only after it is demonstrated that nonstructural solutions, such as bioengineering or soft-shore armoring, would not be able to protect existing development.
- SMPP33** Planning of shoreline stabilization should encompass sizable stretches of lake or marine shorelines. This planning should consider off-site erosion, accretion, or flood damage that might occur as a result of shoreline protection structures or activities.
- SMPP34** Shoreline stabilization on marine and lake shorelines should not be used as a means of creating new or newly developable land.
- SMPP35** Shoreline stabilization structures should allow passage of ground and surface waters into the main water body.
- SMPP36** Shoreline stabilization should not reduce the volume and storage capacity of streams and adjacent wetlands or flood plains.
- SMPP37** Whenever shoreline stabilization is needed, bioengineered alternatives such as natural berms and erosion control vegetation plans should be favored over hard surfaced structural alternatives such as concrete bulkheads and sheet piles.
- SMPP38** The burden of proof for the need for shoreline stabilization to protect existing developments or proposed redevelopments rests on the applicant.
- SMPP39** Shoreline stabilization activities that may necessitate new or increased shoreline protection on the same or other affected properties where there has been no previous need for protection should not be allowed.
- SMPP40** New development shall be designed and located so as not to require shoreline stabilization.
- SMPP41** Areas of significance in the spawning, nesting, rearing, or residency of aquatic and terrestrial biota should be given special consideration in review of proposed shoreline stabilization activities.

- SMPP42** Shoreline stabilization activities should be discouraged in areas where they would disrupt natural feeder bluffs processes important for maintaining beaches.

## Goal

- SMPG6** *Docks and moorages should be allowed when associated with residential, recreational, or other public facilities. The design, location, and construction of any dock, pier, or moorage should avoid, to the greatest extent possible, adverse effects on shoreline ecological functions.*



## Policies

- SMPP43** Open pile construction should be preferred where there is significant littoral drift, where scenic values will not be impaired, and where minimal alteration to the shoreline and minimal damage to aquatic resources can be assured.
- SMPP44** Piers, floats, and docks should be prohibited or permitted as a conditional use where conflicts with recreational boaters and other recreational water activities would create public safety hazards.
- SMPP45** Where new docks are allowed, new residential development of two or more dwellings should be required to provide joint use or community dock facilities, when feasible, rather than allow individual docks for each residence.
- SMPP46** Temporary moorages should be permitted for vessels used in the construction of shoreline facilities. The design and construction of such moorages shall be such that upon termination of the project, aquatic habitat can be returned to original condition within one year at no cost to the environment or the public.
- SMPP47** Shoreline structures that are abandoned or structurally unsafe should be removed.

- SMPP48** Docks, buoys, and other moorages should only be authorized after consideration of:
- The effect such structures have on wildlife and aquatic life, water quality, unique and fragile areas, submerged lands, and shoreline vegetation.
  - The effect such structures have on navigation, recreational and commercial boating, shoreline access, and scenic and aesthetic values.
  - The effect such structures have on water circulation, sediment movement, and littoral drift.
- SMPP49** Moorage buoys should be preferred over moorage piles on all tidal waters.

## 11.6 PUBLIC ACCESS AND RECREATION ELEMENT

This element addresses the preservation and expansion of all types of public access and recreational opportunities through programs of acquisition, development, and various means of less-than-fee acquisition.

### Goal

- SMPG7** *Increase public access to and enjoyment of shoreline areas through improvements to physical access on publicly owned lands and improved visual access, provided that private rights, public safety, and shoreline ecological functions remain intact.*

### Policies

- SMPP50** Development of public access should respect and protect private rights that are held on shoreline property.
- SMPP51** Public access should be maintained and regulated.
- Public access should be policed and improved consistent with intensity of use.
  - Provisions to restrict access as to nature, time, number of people, and area may be appropriate for public pedestrian easements and other public access areas where there are spawning grounds, fragile aquatic life habitats, or potential hazards for pedestrian safety.
- SMPP52** Design of access should provide for the public health, safety, and enjoyment.
- Appropriate signs should be used to designate publicly owned shorelines.
  - Pedestrian and non-motorized physical and visual access to the shoreline should be encouraged.
  - Public access to and along the water's edge should be made available in publicly owned shorelines in a manner that protects shoreline ecological functions.



**SMPP53** Acquisition and development of new shoreline public access locations should be consistent with overall parks and open space planning goals and policies.

- a. Acquisition and development of shoreline properties should be consistent with criteria and standards as part of an overall park and open space master plan.
- b. Where appropriate, utility and transportation rights-of-way on the shoreline should be made available for public access and use, consistent with the shoreline use and circulation element policies.
- c. Where appropriate, publicly-owned street ends that abut the shoreline should be retained and/or reclaimed for public access, consistent with the circulation element policies.
- d. Shoreline recreational facilities and other public access points should be connected by trails, bicycle pathways, and other access links where possible.



**SMPP54** Public access should be provided in new shoreline developments.

- a. Incentives should be used to encourage private property owners to provide public shoreline access.
- b. Public pedestrian easements should be considered in future land use authorizations, and in the case of projects along lakes, streams, ponds, and marine lands, whenever shoreline features are appropriate for public use. Shorelines of the City characterized by the following should be considered for pedestrian easements:
  1. Areas of significant, historical, geological, and/or biological features and landmarks.
  2. Areas presently being legally used, or historically having been legally used, by the public along the shoreline for access.

3. Where public funds have been expended on or related to shoreline developments.

**SMPP55** Shorelines in the City should be available to all people for passive use, visual access, and enjoyment.

- a. The City should preserve and provide publicly accessible viewpoints, lookouts, and vistas of shorelines.
- b. New developments should minimize visual and physical obstruction of the water from adjacent roads and public properties.

**SMPP56** Physical and/or visual access to the water should use steep slopes, view points from bluffs, stream valleys, and features of special interest where it is possible to place pathways consistent with public safety and without requiring extensive flood or erosion protection.

## Goal

**SMPG8** *Provide additional shoreline dependent and water oriented recreation opportunities that are diverse, convenient, and adequate for the regional population, and that will not result in a net loss of shoreline ecological functions.*

## Policies

**SMPP57** Areas containing special shoreline recreation qualities not easily duplicated should be available for public use and enjoyment.

- a. Opportunities should be provided for the public to understand natural shoreline processes and experience natural resource features.
- b. Public viewing and interpretation should be encouraged at or near governmental shoreline facilities when consistent with security and public safety.

**SMPP58** Shoreline recreational use and development should enhance environmental quality with minimal adverse effect to natural resources.

- a. Stretches of relatively inaccessible and unspoiled shoreline should be available and designated as low intensity or passive recreational use areas with minimal development. Service facilities such as footpaths, periphery parking, and adequate sanitary facilities should only be located where appropriate, considering both public safety and preservation of shoreline ecological functions.
- b. Beaches and other predominantly undeveloped shorelines currently utilized for recreational purposes should be available and designated as medium intensity recreational use areas to be free from expansive development; intensity of use should respect and protect the natural qualities of the area.
- c. Small or linear portions of the shoreline suitable for recreational purposes should be available and designated as transitional use areas that

allow for variable intensities of use, which may include vista points, pedestrian walkways, water entry points, and access from the water; utilizing stream floodplains, street ends, steep slopes, and shoreline areas adjacent to waterfront roads.

- d. At suitable locations, shorelines should be made available and designated as high intensive use areas that provide for a wide variety of recreational activities.
- e. Overall design and development in shoreline recreational areas should be sensitive to the physical site characteristics and be consistent with the level of use in the area concerned.
- f. Recreation areas and ancillary facilities on or adjacent to the shoreline should have adequate surveillance and maintenance.
- g. Non-water oriented recreational facility development should be setback from the water's edge, except where appropriate in high intensive shoreline use areas.

**SMPP59** The provision of adequate public shoreline recreation lands should be based on an acquisition plan that is consistent with overall goals for enhancing public access to the City's shorelines.

**SMPP60** Existing buildings that enhance the character of the shoreline should be incorporated into recreation areas wherever possible.

**SMPP61** A balanced variety of recreational opportunities should be provided for people of different ages, health, family status, and financial ability.

- a. Shoreline recreation areas should provide opportunities for different use intensities ranging from low (solitude) to high (many people).
- b. Opportunities for shoreline recreational experiences should include developing access that accommodates a range of differences in people's physical mobility, capabilities, and skill levels.
- c. Recreational development should meet the demands of population growth consistent with the carrying capacity of the land and water resources.

## Goal

**SMPG9** *Recreational experiences that depend on, or utilize, the shoreline (including: harvesting activities of fish, shellfish, fowl, minerals, and driftwood; various forms of boating, swimming, and utilization of shoreline pathways; and watching or recording activities, such as photography, painting, or the viewing of water dependent activities) shall be encouraged within parks and other public access areas, given they do not result in a net loss of shoreline ecological functions and are allowed uses under state and local regulations.*

## Policies

**SMPP62** Underwater parks should be extensions of shoreline parks, and whenever possible, be created or enhanced by artificial reefs where natural conditions or aquatic life could be observed with minimal interference.

- SMPP63** During storm events, hazardous conditions, or emergencies, temporary use of public recreational shoreline areas by boaters should be allowed.
- SMPP64** Prime fishing areas should be given priority for recreational use.
- SMPP65** Recreational shellfish harvesting should be allowed on public beaches subject to rules, regulations, and periodic closures by Washington Department of Health and/or Washington Department of Fish and Wildlife.
- SMPP66** Boating activities that increase shore erosion should be discouraged.
- SMPP67** Effective interpretation should be provided to raise the quality of visitor experiences and provide an understanding of aquatic and shoreline resource.

## 11.7 CONSERVATION AND RESTORATION ELEMENT

This element promotes and encourages the conservation of natural shoreline resources and shoreline ecological functions, considering but not limited to, such characteristics as scenic vistas, parks and open space, fish and wildlife habitat, beaches, feeder bluffs, estuaries, and other valuable natural or aesthetic features. Additionally, this element promotes and encourages restoration of shoreline functions and ecological processes that have been impaired as a result of past development activities.



### Goal

- SMPG10** *Preserve and protect the ecological functions of intact natural shorelines and ecologically sensitive shorelines as outlined within the shoreline inventory and characterization.*

## Policies

- SMPP68** Manage designated critical areas in the shoreline—such as critical aquifer recharge areas and wellhead protection areas, frequently flooded areas, geologically hazardous areas, regulated wetlands, and streams—according to measures provided in this SMP. These include shoreline environment designations, allowed uses, development standards and regulations, and mitigation for unavoidable impacts. They should also be consistent with the policies contained in FWCP Chapter 9, “Natural Environment.”
- SMPP69** Develop standards, buffers, and mitigation requirements for designated critical areas in the shoreline consistent with city-wide regulations.

## Goal

- SMPG11** *Assure preservation of unique and non-renewable natural resources and assure conservation of renewable natural resources for the benefit of existing and future generations and the public interest.*

## Policies

- SMPP70** All new development and activity in or adjacent to shoreline areas should be designed, constructed, and operated as to avoid significant adverse impacts to ground or surface water quality. Use of state and local best management practices and guidance should be implemented to avoid significant adverse impacts to water quality.
- SMPP71** Shorelines that are of unique or valuable natural character should be considered for acquisition. Subsequent management of such areas should protect or enhance shoreline ecological functions.
- SMPP72** Protection and conservation of vegetation within shoreline areas should be managed through implementation of setback, clearing and grading, and mitigation standards for development activity.
- SMPP73** Resource conservation should be an integral part of shoreline planning. All future shoreline development should be planned, designed, and sited to minimize adverse impact upon the natural shoreline environment and ecological functions.
- SMPP74** Scenic and aesthetic qualities and ecological functions of shorelines should be recognized and preserved as valuable resources.
- When appropriate, natural flora and fauna should be preserved.
  - In shoreline areas, the natural topography should not be substantially altered.
  - Shoreline structures should be sited and designed to minimize view obstruction and should be visually compatible with the shoreline character.
  - Wildlife and aquatic habitats, including spawning grounds, should be protected.

**SMPP75** Resources should be managed to enhance the environment and prevent a net loss of shoreline ecological functions.

- a. Shoreline in-water and over-water activities and development should be planned, constructed, and operated to minimize adverse effects on the natural processes of the shoreline, and should maintain or enhance the quality of air, soil, natural vegetation, and water on the shoreline.
- b. Use or activity which substantially degrades the natural resources or ecological functions of the shoreline should not be allowed without mitigation as required by SMP regulations and FWRC Title 14, “Environmental Policy.”

**SMPP76** Critical salmonid habitats, including saltwater and freshwater habitat used by Pacific salmonid species, support valuable recreational and commercial fisheries and should be protected for their importance to the aquatic ecosystem, as well as state and local economies.

- a. Non-water-dependent and non-water-related uses, activities, structures, and landfills should not be located in critical salmonid habitats.
- b. Where uses, activities, structures, and landfills must locate in critical salmonid habitats, impacts on these areas should be lessened to the maximum extent possible. Significant unavoidable impacts should be mitigated by creating in-kind replacement habitat near the project where feasible. Where in-kind replacement mitigation is not feasible, rehabilitation of out-of-kind or off-site degraded habitat should be required. Mitigation proposals should be developed in consultation with the City, the State Department of Fish and Wildlife, and any affected Indian Nations.



- c. Development that is outside critical salmonid habitats that has the potential to significantly affect said habitats should be located and designed as to not create significant negative impacts to said habitats.



- d. Whenever feasible, bioengineering should be used as the bank protection technique for all streams considered to have critical salmonid habitat.
- e. Whenever feasible, open pile bridges should be used for all water crossings over areas considered critical salmonid habitat.
- f. Impervious surfaces should be minimized in upland developments to reduce stormwater runoff peaks. Structures and uses creating significant impervious surfaces should include stormwater detention systems to reduce stormwater runoff peaks.
- g. The discharge of silt and sediments into waterways shall be minimized during in-water and upland construction.
- h. Adopt-A-Stream programs and similar efforts to rehabilitate critical salmonid habitats should be encouraged.
- i. Fishery enhancement projects should be encouraged where they will not significantly interfere with other beneficial uses.
- j. Project proponents should contact the Habitat Division of the State Department of Fish and Wildlife and affected Indian Nations early in the development process to determine if the proposal will occur in or adjacent to critical salmonid habitat.
- k. When reviewing permits for uses, activities, and structures proposed in, over, or adjacent to marine waters, streams, wetlands, ponds connected to streams, or any other shoreline area, City staff should contact the Habitat Division of the State Department of Fish and Wildlife to determine if the proposal will occur in or affect any adjacent critical habitats. Staff should also contact affected Indian Nations.

**SMPP77** Use the City’s established permit tracking program to periodically evaluate the effectiveness of the SMP for achieving no net loss of shoreline ecological functions with respect to shoreline permitting and exemptions. Prepare an evaluation report every seven years when the SMP is required to be updated under RCW 90.58.080(4).

## Goal

**SMPG12** *Develop regional solutions with other jurisdictions, tribes, and interested parties to resolve the challenge of protecting shoreline ecological functions, while also managing shoreline developments.*

## Policies

**SMPP78** Continue work with the State, King County, Watershed Resource Inventory Area (WRIA) 9 Steering Committee, and other governmental and non-governmental organizations to explore how local governments can contribute to the preservation and restoration of ecological processes and shoreline functions.

**SMPP79** Continue work with the WRIA 9 forum to restore shoreline habitats and seasonal ranges that support listed endangered and threatened species, as well as other anadromous fisheries.

## Goal

- SMPG13** *Pursue projects to restore and enhance shoreline habitats and processes on publicly owned lands.*

## Policies

- SMPP80** Prioritize enhancement and restoration efforts at public parks and open space lands.
- SMPP81** Work with owners of other publicly-owned land, such as Washington State Parks, to encourage restoration and enhancement projects, including funding strategies.
- SMPP82** Work with the public and other interested parties to prioritize restoration opportunities identified in Shoreline Inventory and Characterization Report and SMP Restoration Plan.
- SMPP83** Promote vegetation restoration, and the control of invasive weeds and nonnative species to avoid adverse impacts to hydrology, and to reduce the hazard of slope failures or accelerated erosion.
- SMPP84** Develop a program to implement restoration projects, including funding strategies.
- SMPP85** Monitor and adaptively manage restoration projects.

## Goal

- SMPG14** *Encourage voluntary restoration projects on private property in degraded shoreline environments.*

## Policies

- SMPP86** Create incentives that will make it economically or otherwise attractive for development proposals to integrate shoreline ecological restoration into development projects.
- SMPP87** Encourage protection, enhancement, or restoration of native riparian vegetation through incentives and non-regulatory programs.
- SMPP88** Promote bioengineering and/or soft engineering alternative design approaches to shoreline stabilization and provide technical guidance to shoreline landowners.
- SMPP89** Establish public education materials to provide shoreline landowners technical assistance about the benefits of native vegetation plantings.

### Goal

- SMPG15** *Provide ample opportunity for the public to learn about the ecological aspects and community values of the City's shorelines.*

### Policies

- SMPP90** Explore opportunities with other educational organizations and agencies to develop an on-going program of shoreline education for all ages.
- SMPP91** Identify areas where kiosks and interpretative signs can enhance the educational experience of users of the shoreline.
- SMPP92** Develop strategies to fund identified educational and interpretive projects.

## 11.8 HISTORIC AND CULTURAL RESOURCES ELEMENT

This element addresses identification and preservation of historic and cultural resources that are located in or associated with Federal Way's shorelines. Such resources may include historic structures or buildings, historic use or activities in the shoreline, and archaeological resources.

### Goal

- SMPG16** *Identify, protect, preserve, and restore important archaeological, historical, and cultural sites located in or associated with Federal Way's shorelines for scientific and educational purposes.*

### Policies

- SMPP93** Manage cultural and historic resources in the shoreline consistent with city-wide policies for treatment of such resources in the FWCP.
- SMPP94** Recognize that shoreline areas are of moderate to high probability for archaeological resources and require appropriate review and site investigation for proposed development or modifications.

## 11.9 CIRCULATION ELEMENT

This element deals with the location and extent of existing and proposed thoroughfares, transportation routes, and other public facilities; and coordinating those facilities with shoreline uses.

### Goal

- SMPG17** *Circulation systems in shoreline areas should be limited to those that are shoreline dependent or would serve shoreline dependent uses, or those that must pass through shoreline areas. The environment shall be protected from any*

*significant adverse effects of circulation systems required in shoreline areas.*

## **Policies**

- SMPP95** New surface transportation development should be designed to provide the best possible service with the least possible infringement upon shoreline areas.
- a. New transportation facilities and improvements to existing facilities that substantially increase levels of air, noise, odor, visual, or water pollution should be discouraged, unless benefits of the facility outweigh costs.
  - b. Transportation corridors should be designed to harmonize with the topography and other natural characteristics of the shoreline through which they traverse.
  - c. New surface transportation facilities in shoreline areas should be set back from the ordinary high water mark far enough to make unnecessary such protective measures as rip-rap or other bank stabilization, landfill, bulkheads, groins, jetties, or substantial site regrade.
  - d. New transportation facilities crossing lakes, streams, wetlands, or other critical areas should be encouraged to locate in existing corridors, except where any adverse impact can be minimized by selecting an alternate corridor.
  - e. Shoreline circulation systems should be adaptable to changes in technology.
- SMPP96** Circulation systems should be located and attractively designed so as not to unnecessarily or unreasonably pollute the physical environment, or reduce the benefits people derive from their property.
- a. Motorized vehicular traffic on beaches and other natural shoreline areas shall be prohibited.
  - b. Transportation facilities providing access to shoreline developments should be planned and designed in scale and character with the use proposed.
  - c. New transportation facilities should minimize total impervious surface area by generally being oriented perpendicular to the shoreline where topographic conditions will allow.
- SMPP97** Circulation systems should be designed to enhance aesthetic experiences through creating shoreline vista and access points and encouraging alternative modes of transportation.
- SMPP98** New transportation developments in shoreline areas should provide turnout areas for scenic stops and off road rest areas where the topography, view, and natural features warrant, consistent with the public access and recreation policies.
- SMPP99** Shoreline roadway corridors with unique or historic significance, or of great aesthetic quality, should be retained and maintained for those characteristics.
- SMPP100** Shoreline circulation routes should provide for non-motorized means of

travel and should incorporate multimodal provisions where public safety can be assured.

**SMPP101** The existing system of pedestrian ways, bikeways, and equestrian ways in the City should be extended to provide safe access to public parks located on the shoreline.

**SMPP102** Shoreline roadways should have a high priority for arterial beautification funds.

**SMPP103** Regionally significant pedestrian and bicycle facilities and amenities along shoreline circulation routes should be pursued in partnership with other agencies.

**SMPP104** Pedestrian access should be built where access to public shorelines is desirable and has been cut off by linear transportation corridors. New linear facilities should enable pedestrian access to public shorelines where access is desirable.

**SMPP105** Transportation and utility facilities should be encouraged to coordinate joint use of rights-of-way and to consolidate crossings of water bodies when doing so can minimize adverse impact to the shoreline.

## 11.10 SHORELINE ENVIRONMENTS

### Intent

In order to more effectively implement the goals, objectives, and policies of this master program and the SMA, the shorelines of the state within Federal Way have been categorized into three separate environment designations. The purpose of these designations is to differentiate between areas whose geographical features, ecological functions, and existing development pattern imply differing objectives regarding their management, use, and future development.

Each environment represents a particular emphasis in the type of uses and the extent of development that should occur within it. The system is designed to encourage uses in each environment, which enhance the character of the environment while at the same time requiring reasonable standards and restrictions on development so that the character of the environment is not destroyed.

The determination as to which designation should be given to any specific shoreline area has been based on, and is reflective of, the existing development pattern; the biophysical capabilities and limitations of the land; and the goals and aspirations of the local citizenry.

Each environment designation includes: (1) a purpose statement which clarifies the meaning and intent of the designation; (2) criteria to be used as a basis for classifying a specific shoreline area with that environment designation; and (3) detailed management policies designed to guide management decisions and development consistent with the character of the environment.

## Shoreline Residential

### Purpose

The purpose of the “Shoreline Residential” environment is to accommodate residential development and appurtenant structures that are consistent with SMP Guidelines—WAC 173-26-211(5)(f). An additional purpose is to provide appropriate public access and recreational uses.

### Criteria

The Shoreline Residential environment designation is assigned to shoreline areas inside the City of Federal Way and the City’s Potential Annexation Area (PAA) if the areas are predominantly single-family or multi-family residential development, or are planned and platted for residential development.

### Management Policies

1. Residential uses shall be the primary use. Development and redevelopment activities shall be focused within already developed areas.
2. Standards shall be developed and implemented for density or minimum frontage width, setbacks, lot coverage limitations, buffers, shoreline stabilization, vegetation conservation, critical area protection, and water quality. These standards shall ensure that new development does not result in a net loss of shoreline ecological functions or further degrade other shoreline values, taking into account the environmental limitations and sensitivity of the shoreline area, the level of infrastructure and services available, and other comprehensive planning considerations.
3. Multi-family and multi-lot residential and recreational developments shall provide public access and joint use for community recreational facilities.
4. All residential development shall occur in a manner consistent with the policies listed under SMPG2 of the shoreline use element.

## Urban Conservancy

### Purpose

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

### Criteria

The Urban Conservancy environment designation is assigned to shoreline areas appropriate and planned for development that are compatible with maintaining or restoring the ecological functions of the area that are not generally suitable for water-dependent high-intensity uses. The Urban Conservancy environment is applied to shorelines if any of the following characteristics apply:



1. They have open space, flood plain, or other sensitive areas that should not be more intensively developed;
2. They have potential for ecological restoration;
3. They retain important ecological functions, even though partially developed; or
4. They have the potential for development that is compatible with ecological restoration.

### **Management Policies**

1. Residential, recreational, commercial, and public facility uses should be allowed, provided they preserve the natural character of the area or promote preservation of open space, flood plain, bluffs, or sensitive lands either directly or over the long term. Water-oriented uses should be given priority over non-water-oriented uses. For shoreline areas adjacent to commercially navigable waters, water-dependent uses should be given highest priority. Uses that result in restoration of ecological functions should be allowed if the use is otherwise compatible with the purpose of the environment and the setting.
2. Standards should be developed and implemented for management of environmentally sensitive or designated critical areas to ensure that new development does not result in a net loss of shoreline ecological functions, or further degrade other shoreline values. Development standards should be developed and implemented for density or minimum frontage width, setbacks, lot coverage limitations, buffers, shoreline stabilization, vegetation conservation, critical area protection, and water quality.
3. Public access and public recreation objectives should be implemented whenever feasible and significant ecological impacts can be mitigated.
4. To enhance the waterfront and ensure maximum public use, commercial or office facilities should be designed to permit pedestrian waterfront activities consistent with public safety, security, and protection of shoreline ecological functions.
5. Aesthetic considerations should be actively promoted by means of sign control regulations, architectural design standards, landscaping requirements, and other such means.

## **Natural**

### **Purpose**

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

### **Criteria**

A Natural environment designation should be assigned to shoreline areas if any of the following characteristics apply: (A) the shoreline is ecologically intact and therefore, currently performing an important, irreplaceable function or ecosystem-wide process that would be damaged by human activity; (B) the shoreline is considered to represent ecosystems and geologic types that are of particular scientific and educational interest; or (C) the shoreline is unable to support new development or uses without significant adverse impacts to ecological functions or risk to human safety.

### **Management Policies**

1. Any use that would substantially degrade the ecological functions or natural character of the shoreline area shall not be allowed.
2. The following new uses shall not be allowed in the Natural environment:
  - Commercial uses;
  - Industrial uses;
  - Non-water-oriented recreation; and
  - Roads, utility corridors, and parking areas that can be located outside of the Natural designated shorelines.
3. Single-family residential development may be allowed as a conditional use if the density and intensity of such use is limited as necessary to protect ecological functions and be consistent with the purpose of the environment.
4. Scientific, historical, cultural, educational research uses, and low-intensity water-oriented recreational access uses may be allowed provided that no significant ecological impact on the area will result.
5. New development or significant vegetation removal that would reduce the capability of vegetation to perform normal ecological functions should not be allowed. Do not allow the subdivision of property in a configuration that, to achieve its intended purpose, will require significant vegetation removal or shoreline modification that adversely impacts ecological functions. That is, each new parcel must be able to support its intended development without significant ecological impacts to the shoreline ecological functions.



# Federal Way Shoreline Management Plan

## Federal Way and Its Potential Annexation Area

### Legend

- City of Federal Way
- Potential Annexation Area
- Regulated Shoreline
- 1A** Puget Sound East
- 1B** Puget Sound - Dumas Bay
- 1C** Puget Sound West
- 2** Steel Lake
- 3** Star Lake
- 4** Lake Dolloff
- 5** Lake Geneva
- 6** North Lake
- 7** Lake Killarney
- 8** Five Mile Lake

0 0.5 1 Miles  
 N  
 Map Date: May 2006



This map is accompanied by NO warranties, and is simply a graphic representation.