



## Memorandum

DATE: January 29, 2021  
TO: Planning Commission  
FROM: Cliff Strong, Senior Planner  
THROUGH: Mark Personius, Director  
RE: Continued Review of Shoreline Management Program Periodic Update 2020

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### **Tonight's Goal**

On February 11<sup>th</sup> we will pick up where you left off and continue to review and talk about the proposed amendments to Exhibits D (Title 23, SMP Regulations) and Exhibit F (Ch. 16.16, Critical Areas). All documents are available in pdf and Word versions on PDS's SMP Update webpage: <https://www.whatcomcounty.us/3119/SMP-Update-2020-Documents>.

### **Follow-Up from 1/28/21 Meeting**

#### **Revisions to Title 23**

At your January 28<sup>th</sup> meeting the Commission reviewed a bit more of Exhibit D (Title 23), but wanted to have time to review the revised text staff developed based on your previous questions and observations before tentatively approving it. Attached are the two revised sections, Table 2 (Bulk Regulations) and §23.40.100 (Flood Control Works and Instream Structures).

Additionally, Commissioner Maberry questioned why certain agricultural practices were considered high intensity land uses. Staff reported that the definitions are from Department of Ecology (DOE) guidance. The Commission asked whether these could be altered, as it would seem that ag uses ought not be in the same category as commercial and industrial uses. Staff offered to speak with DOE staff to see whether they can be. As this can occur prior to when this memo needs to go out, we will report at your meeting.

#### **No Net Loss Addendum**

In 2007 Whatcom County underwent a comprehensive update of its Shoreline Management Program (SMP). At that time the County prepared an Inventory and Characterization Report (Vol. I), a Scientific Literature Review (Vol. II), a Restoration Plan (Vol. III), and a Cumulative Effects Analysis (Vol. IV), all of which were approved by County Council and the Department of Ecology. These documents formed the basis for developing the County's Shoreline Management Program and determining that it would achieve no net loss of ecological functions when implemented.

Whatcom County is now undergoing a periodic update. For such an update the County is not required to re-do all these documents except to augment them if something changes that might negatively affect the shoreline's ecological functions. But for the most part, there are few significant policy changes; most of the proposed amendments are an effort to reorganize the SMP so as to make it easier to use and understand.

There are a few policy changes, though, and the attached No Net Loss Statement, prepared by The Watershed Company as an addendum to the 2007 Cumulative Effects Analysis, addresses these. The conclusion is that each of these amendments works to strengthen the shoreline ecological protections provided by the SMP.

**Table 1. Bulk Regulations for Shoreline Development** ~~WCC Table 23.90.130(C) Buffer, Setbacks, Height, Open Space, and Impervious Surface Coverage Standards for Shoreline Development~~

Shoreline Uses	Shoreline <u>Environment Area</u> Designation									
	Urban	Urban Resort	Urban Conservancy	Shoreline Residential	Rural	Resource	Conservancy	Natural	Aquatic	<u>Cherry Point Mgmt Area</u>
<b>Agriculture</b>										
Shoreline Buffer <sup>(1)</sup> Setback	<u>Per Shoreline Buffer Standards in WCC 23.30.050</u> <del>Per Whatcom County Critical Areas Ordinance, Chapter 16.16 WCC, Buffers</del>									
-Side Setback <sup>(2,3)</sup>	20'	N/A	20'	20'	20'	20'	20'	N/A	N/A	<u>20'</u>
<u>Maximum Height Limit</u> <sup>(5)</sup> (a/b)	35'	N/A	<del>35' / 35'</del>	<del>35' / 35'</del>	<del>35' / 35'</del>	<del>35' / 35'</del>	<del>35' / 35'</del>	N/A	N/A	<u>35'</u>
Impervious Surface Coverage	Per the underlying zone <del>district</del> , WCC Title <u>20</u> .					<del>10%</del> <sup>(9)</sup>	<del>10%</del> <sup>(9)</sup>	Per the underlying zone <del>district</del> , WCC Title <u>20</u> .		
<b>Aquaculture</b>										
Shoreline Buffer <sup>(1)</sup> Setback	<u>Per Shoreline Buffer Standards in WCC 23.30.050</u> <del>Per Whatcom County Critical Areas Ordinance, Chapter 16.16 WCC, Buffers</del>									
-Side Setback <sup>(2,3)</sup>	10'	10'	10'	10'	10'	10'	15'	N/A	N/A	<u>20'</u>
<u>*Maximum Height</u> <sup>(4,5)</sup> Height Limit (a/b)	25' / 35'	25' / 35'	20' / 30'	25' / 35'	20' / 30'	20' / 30'	15' / 25'	N/A	10'	<u>20' / 30'</u>
Open Space %	30%	40%	50%	30%	50%	50%	60%	N/A	N/A	<u>30%</u>
Impervious Surface Coverage	Per the underlying zone <del>district</del> , WCC Title <u>20</u> .					<del>10%</del> <sup>(9)</sup>	<del>10%</del> <sup>(9)</sup>	Per the underlying zone <del>district</del> , WCC Title <u>20</u> .		
<b>Commercial</b>										
Shoreline Buffer <sup>(1)</sup> Setback	<u>Per Shoreline Buffer Standards in WCC 23.30.050</u> <del>Per Whatcom County Critical Areas Ordinance, Chapter 16.16 WCC, Buffers</del>									
-Side Setback <sup>(2,3,6)</sup>	5'+	5'+	10'+	10'+	10'+	10'+	15'+	N/A	N/A	<u>15'</u>
<u>*Maximum Height</u> <sup>(4,5)</sup> Height Limit (a/b/g)	25' / 35'	25' / 35'	20' / 30'	25' / 35'	20' / 30'	20' / 30'	15' / 25'	N/A	15'	<u>35'</u>
Open Space % (c/d)	30% / 15%	40% / 20%	60% / 30%	30% / 15%	50% / 25%	50% / 25%	60% / 30%	N/A	N/A	<u>30% / 15%</u>
Impervious Surface Coverage	Per the underlying zone <del>district</del> , WCC Title <u>20</u> .					<del>10%</del> <sup>(9)</sup>	<del>10%</del> <sup>(9)</sup>	Per the underlying zone <del>district</del> , WCC Title <u>20</u> .		
<b><del>Boating Facilities: Marinas and Launch Ramps</del></b>										
Shoreline Buffer <sup>(1)</sup> Setback	<u>Per Shoreline Buffer Standards in WCC 23.30.050</u> <del>Per Whatcom County Critical Areas Ordinance, Chapter 16.16 WCC, Buffers</del>									

Shoreline Uses	Shoreline <u>Environment Area</u> Designation									
	Urban	Urban Resort	Urban Conservancy	Shoreline Residential	Rural	Resource	Conservancy	Natural	Aquatic	Cherry Point Mgmt Area
<u>Side Setback</u> <sup>(2,3)</sup>	10'	10'	10'	10'	10'	10'	15'	N/A	N/A	<u>20'</u>
<u>Maximum Height</u> <sup>(4,5)</sup> <u>Height Limit</u> (a/b)	25' / 35'	25' / 35'	25' / 35'	25' / 35'	20' / 25'	20' / 25'	15' / 25'	N/A	N/A	<u>25' / 35'</u>
Open Space % (c/d)	15%	30%	50%	15%	30%	30%	50%	N/A	N/A	<u>15%</u>
Impervious Surface Coverage	Per the underlying zone <u>district</u> , WCC Title <u>20</u> .					<u>10%</u> <sup>(9)</sup>	<u>10%</u> <sup>(9)</sup>	Per the underlying zone <u>district</u> , WCC Title <u>20</u> .		
<b>Mining</b>										
<u>Shoreline Buffer</u> <sup>(1)</sup> <u>Setback</u>	<u>Per Shoreline Buffer Standards in WCC 23.30.050 Per Whatcom County Critical Areas Ordinance, Chapter 16.16 WCC, Buffers</u>									
<u>Side Setback</u> <sup>(2,3)</sup>	N/A	N/A	N/A	N/A	50'	50'	100'	N/A	N/A	<u>50'</u>
Open Space %	N/A	N/A	N/A	N/A	50%	50%	50%	N/A	N/A	<u>50%</u>
Impervious Surface Coverage	Per the underlying zone <u>district</u> , WCC Title <u>20</u> .					<u>10%</u> <sup>(9)</sup>	<u>10%</u> <sup>(9)</sup>	Per the underlying zone <u>district</u> , WCC Title <u>20</u> .		
<b>Industrial and Port Development</b>										
<u>Shoreline Buffer</u> <sup>(1)</sup> <u>Setback</u>	<u>Per Shoreline Buffer Standards in WCC 23.30.050 Per Whatcom County Critical Areas Ordinance, Chapter 16.16 WCC, Buffers</u>									
<u>Side Setback</u> <sup>(2,3)</sup>	30'	10'	30'	30'	40'	40'	60'	N/A	N/A	<u>40%</u>
<u>Maximum Height</u> <sup>(5)</sup> <u>Height Limit</u> (a/b)	35' / 35'	15' / 25'	20' / 30'	35' / 35'	25' / 35'	25' / 35'	25' / 35'	N/A	20'	<u>25' / 35'</u>
Open Space %	30%	40%	60%	30%	50%	50%	60%	N/A	N/A	<u>30%</u>
Impervious Surface Coverage	Per the underlying zone <u>district</u> , WCC Title <u>20</u> .					<u>10%</u> <sup>(9)</sup>	<u>10%</u> <sup>(9)</sup>	Per the underlying zone <u>district</u> , WCC Title <u>20</u> .		
<b>Land Division</b>										
<u>Shoreline Buffer</u> <sup>(1)</sup>	<u>Per Shoreline Buffer Standards in WCC 23.30.050</u>									
<u>Side Setback</u> <sup>(2,3)</sup>	<u>Based on shoreline use</u>									
<u>Maximum Height</u> <sup>(5)</sup> (a/b)	<u>Based on shoreline use</u>									
<u>Open Space %</u>	<u>30%</u>	<u>40%</u>	<u>50%</u>	<u>30%</u>	<u>50%</u>	<u>50%</u>	<u>60%</u>	<u>N/A</u>	<u>N/A</u>	<u>30%</u>
<u>Impervious Surface Coverage</u>	<u>Per the underlying zone, WCC Title 20.</u>					<u>10%</u> <sup>(9)</sup>	<u>10%</u> <sup>(9)</sup>	<u>Per the underlying zone, WCC Title 20.</u>		
<b>Recreation</b>										

Shoreline Uses	Shoreline <u>Environment Area</u> Designation									
	Urban	Urban Resort	Urban Conservancy	Shoreline Residential	Rural	Resource	Conservancy	Natural	Aquatic	Cherry Point Mgmt Area
Shoreline Buffer <sup>(1)</sup> Setback	<a href="#">Per Shoreline Buffer Standards in WCC 23.30.050</a> <del>Per Whatcom County Critical Areas Ordinance, Chapter 16.16 WCC, Buffers</del>									
↔ Side Setback <sup>(2,3)</sup>	10'	10'	15'	10'	15'	15'	20'	20'	N/A	<a href="#">20'</a>
*Maximum Height <sup>(4,5)</sup> Height Limit (a/b)	25' / 35'	25' / 35'	20' / 35'	25' / 35'	20' / 35'	20' / 35'	15' / 25'	10' / 15'	15'	<a href="#">20' / 35'</a>
Open Space % (c/d)	30% / 25%	40% / 40%	50% / 60%	30% / 25%	50% / 60%	50% / 60%	60% / 75%	95%	N/A	<a href="#">30% / 25%</a>
Impervious Surface Coverage	Per the underlying zone <del>district</del> , WCC Title <a href="#">20</a> .					↔↔ 10% <sup>(9)</sup>	↔↔ 10% <sup>(9)</sup>	Per the underlying zone <del>district</del> , WCC Title <a href="#">20</a> .		
<b>Residential – Single-Family and Duplex</b>										
Shoreline Buffer <sup>(1)</sup> Setback	<a href="#">Per Shoreline Buffer Standards in WCC 23.30.050</a> <del>Per Whatcom County Critical Areas Ordinance, Chapter 16.16 WCC, Buffers</del>									
↔ Maximum Density <sup>(8)</sup>	6:1 ac-	22:1 ac-	6:1 ac-	6:1 ac-	1:1 ac-	1:20 ac-	1:1 ac-	N/A	N/A	<a href="#">1:1 ac</a>
↔ Side Setback <sup>(2,3)</sup>	5'	5'	10'	5'	10'	10'	15'	15'	N/A	<a href="#">20'</a>
*Maximum Height <sup>(4,5)</sup> Height Limit (a/b)	30' / 30'	30' / 30'	30' / 35'	30' / 30'	30' / 35'	30' / 35'	30' / 35'	30' / 35'	N/A	<a href="#">30' / 35'</a>
Impervious Surface Coverage	Per the underlying zone <del>district</del> , WCC Title <a href="#">20</a> .					↔↔ 10% <sup>(9)</sup>	↔↔ 10% <sup>(9)</sup>	Per the underlying zone <del>district</del> , WCC Title <a href="#">20</a> .		
<b>Residential – Multifamily (3 – 6 units)</b>										
Shoreline Buffer <sup>(1)</sup> Setback	<a href="#">Per Shoreline Buffer Standards in WCC 23.30.050</a> <del>Per Whatcom County Critical Areas Ordinance, Chapter 16.16 WCC, Buffers</del>									
↔ Maximum Density <sup>(8)</sup>	6:1 ac.	22:1 ac.	6:1 ac.	6:1 ac.	1:1 ac.	1:20 ac.	1:1 ac.	N/A	N/A	<a href="#">N/A</a>
↔ Side Setback <sup>(2,3,6)</sup> (e/f)	5'+	5'+	15'+	5'+	15'+	15'+	20'	N/A	N/A	<a href="#">N/A</a>
*Maximum Height <sup>(4,5)</sup> Height Limit (a/b/g)	30' / 40'	30' / 40'	30' / 35'	30' / 40'	30' / 35'	30' / 35'	30' / 35'	N/A	N/A	<a href="#">N/A</a>
Open Space %	30%	40%	60%	30%	50%	50%	60%	N/A	N/A	<a href="#">N/A</a>
Impervious Surface Coverage	Per the underlying zone <del>district</del> , WCC Title <a href="#">20</a> .					↔↔ 10% <sup>(9)</sup>	↔↔ 10% <sup>(9)</sup>	Per the underlying zone <del>district</del> , WCC Title <a href="#">20</a> .		<a href="#">N/A</a>
<b>Residential – Multifamily (7+ units)</b>										
Shoreline Buffer <sup>(1)</sup> Setback	<a href="#">Per Shoreline Buffer Standards in WCC 23.30.050</a> <del>Per Whatcom County Critical Areas Ordinance, Chapter 16.16 WCC, Buffers</del>									

Shoreline Uses	Shoreline <u>Environment Area</u> Designation									
	Urban	Urban Resort	Urban Conservancy	Shoreline Residential	Rural	Resource	Conservancy	Natural	Aquatic	Cherry Point Mgmt Area
◆ Maximum Density <sup>(8)</sup>	6:1 ac <del>r</del>	22:1 ac <del>r</del>	6:1 ac <del>r</del>	6:1 ac <del>r</del>	1:1 ac <del>r</del>	1:20 ac <del>r</del>	1:1 ac <del>r</del>	N/A	N/A	<u>N/A</u>
◆ Side Setback <sup>(2,3,6)</sup> (e/f)	5'+ <del>r</del>	5'+ <del>r</del>	15'+ <del>r</del>	5'+ <del>r</del>	15'+ <del>r</del>	15'+ <del>r</del>	20'	N/A	N/A	<u>N/A</u>
*Maximum Height <sup>(4,5)</sup> Height Limit (a/b) <sup>(g)</sup>	30' / 40'	30' / 40'	30' / 35'	30' / 40'	30' / 35'	30' / 35'	30' / 35'	N/A	N/A	<u>N/A</u>
Open Space	30%	40%	50%	30%	50%	50%	60%	N/A	N/A	<u>N/A</u>
Impervious Surface Coverage	Per the underlying zone <del>district</del> , WCC Title <u>20</u> .					◆◆ 10% <sup>(9)</sup>	◆◆ 10% <sup>(9)</sup>	Per the underlying zone <del>district</del> , WCC Title <u>20</u> .		<u>N/A</u>
<b>Residential – Decks and Accessory Structures</b>										
Shoreline Buffer <sup>(1)</sup> Setback	<u>Per Shoreline Buffer Standards in WCC 23.30.050 Per Whatcom County Critical Areas Ordinance, Chapter 16.16 WCC, Buffers</u>									
◆ Side Setback <sup>(2,3)</sup>	5'	5'	10'	5'	10'	10'	15'	15'	N/A	
*Height Limit <sup>(4)</sup>	15'	15'	15'	15'	15'	15'	15'	15'	N/A	
<b>Transportation Facilities</b>										
Shoreline Buffer <sup>(1)</sup> Setback	<u>Per Shoreline Buffer Standards in WCC 23.30.050 Per Whatcom County Critical Areas Ordinance, Chapter 16.16 WCC, Buffers</u>									
<b>Signs</b>										
**Shoreline Buffer <sup>(1,7)</sup> Setback	<u>Per Shoreline Buffer Standards in WCC 23.30.050 Per Whatcom County Critical Areas Ordinance, Chapter 16.16 WCC, Buffers</u>									
◆ Side Setback <sup>(2,3)</sup>	5'	5'	10'	5'	10'	10'	15'	N/A	N/A	<u>10'</u>
*Maximum Height <sup>(4,5)</sup> Height Limit (a/b)	10' / 15'	10' / 15'	6' / 10'	10' / 15'	6' / 10'	6' / 10'	6' / 10'	N/A	10'	<u>6' / 10'</u>
<b>Utilities</b>										
Shoreline Buffer <sup>(1)</sup> Setback	<u>Per Shoreline Buffer Standards in WCC 23.30.050 Per Whatcom County Critical Areas Ordinance, Chapter 16.16 WCC, Buffers</u>									
◆ Side Setback <sup>(2,3)</sup>	5'	5'	10'	5'	10'	10'	15'	N/A	N/A	<u>10'</u>
*Maximum Height <sup>(4,5)</sup> Height Limit (a/b)	20' / 35'	20' / 35'	20' / 20'	20' / 35'	20' / 20'	20' / 20'	20' / 20'	N/A	N/A	<u>20' / 20'</u>
Open Space %	30%	40%	60%	30%	50%	50%	60%	N/A	N/A	<u>50%</u>

Shoreline Uses	Shoreline <u>Environment Area</u> Designation										
	Urban	Urban Resort	Urban Conservancy	Shoreline Residential	Rural	Resource	Conservancy	Natural	Aquatic	Cherry Point Mgmt Area	
Impervious Surface Coverage	Per the underlying zone <del>district</del> , WCC Title <u>20</u> .					◇◇10% <sup>(9)</sup>	◇◇10% <sup>(9)</sup>	Per the underlying zone <del>district</del> , WCC Title <u>20</u> .			
<b>All Other Development</b>											
Shoreline Buffer <sup>(1)</sup> Setback	Per Shoreline Buffer Standards in WCC 23.30.050 <del>Per Whatcom County Critical Areas Ordinance, Chapter 16.16 WCC, Buffers</del>										
Side Setback <sup>(2,3)</sup>	10'	10'	10'	10'	15'	15'	20'	N/A	N/A		
Maximum Height <sup>(4,5)</sup> Height Limit (a/b)	25' / 35'	25' / 35'	25' / 35'	20' / 30'	20' / 30'	20' / 30'	20' / 30'	N/A	N/A		
Open Space %	30%	40%	60%	30%	50%	50%	60%	N/A	N/A		
Impervious Surface Coverage	Per the underlying zone <del>district</del> , WCC Title <u>20</u> .					◇◇10% <sup>(9)</sup>	◇◇10% <sup>(9)</sup>	Per the underlying zone <del>district</del> , WCC Title <u>20</u> .			

**Footnotes:**

- (1) = Water dependent development shall have a buffer of zero feet. Unless specifically exempted from setback requirements in WCC 23.40.020, minimum required setbacks for permanent freestanding signs are 50 feet from the OWHM where not subject to critical areas or buffers. Other non-water dependent uses that may be allowed within the shoreline buffer are identified in WCC 23.40.020(F).
- (2) = Roof overhangs or other architectural features shall not project further than 18 inches into the side setbacks.
- (3) = A side setback of 5 feet applies to residential decks and accessory structures 15 feet tall or less.
- (4) = Maximum height for accessory structures is 15 feet, except as provided in WCC 23.40.020(E).
- (5) = Maximum height is as shown, except as provided in WCC 23.40.020(E).
- (6) = Add five feet of setback for each five feet of height over 15 feet.
- (7) = See WCC 23.40.200 (Signs) for additional allowances and restrictions.
- (8) = Maximum allowable development density shall be calculated pursuant to the applicable underlying zone district, per WCC Title 20; provided, that maximum allowable density in dwelling units/acre shall not exceed the density ratios identified above. Density shall be calculated based on the total area of the parent parcel including those areas located outside of shoreline jurisdiction. Submerged lands and/or tidelands within the boundaries of any waterfront parcel that are located waterward of the ordinary high water mark shall not be used in density calculations.
- (9) = Where the maximum total impervious surface percentage does not allow 2,500 square feet of total impervious surface area, 2,500 square feet shall be allowed.
- (a/b) = "a" Applies to structures within 100 feet of OWHM or wetland edge;
- "b" a=Applies to structures more than 100 feet from OWHM or wetland edge.
- (c/d) = "c" aApplies to development that includes overnight lodging;
- "d" =Aapplies to development that does not include overnight lodging.
- (e/f) e= "e" Aapplies to structures not more than 35 feet high;
- "f" =Aapplies to structures more than 35 feet high.

~~g – Height limit may be increased to 75 feet via conditional use permit – see WCC 23.90.130(B)(5).~~

~~^ – Add five feet of setback for each five feet of height over 15 feet.~~

~~^ – Maximum height for accessory buildings is 15 feet.~~

~~\*\* – See WCC 23.100.140(B)(10) through (14).~~

~~^ – Roof overhangs or other architectural features shall not project further than 18 inches into the side yard setbacks.~~

~~◇ – Maximum allowable development density shall be calculated pursuant to the applicable underlying zone district, per WCC Title 20; provided, that maximum allowable density in dwelling units/acre shall not exceed the density ratios identified above. Density shall be calculated based on the total area of the parent parcel including those areas located outside of shoreline jurisdiction. Submerged lands and/or tidelands within the boundaries of any waterfront parcel that are located waterward of the ordinary high water mark shall not be used in density calculations.~~

~~◇◇ – Where the maximum total impervious surface percentage does not allow 2,500 square feet of total impervious surface area, 2,500 square feet shall be allowed.~~

N/A = Not applicable.

[Note: The following text has been revised with text from WAC 173-26-221((3)(c).]

**23.4010.080100 Flood Control Works and Instream Structures.**

A. Purpose and Need-General.

1. Development in flood plains should not significantly or cumulatively increase flood hazard or be inconsistent with a comprehensive flood hazard management plan adopted pursuant to chapter 86.12 RCW, provided the plan has been adopted after 1994 and approved by the department.
2. New development or new uses in shoreline jurisdiction should not be established when it would be reasonably foreseeable that the development or use would require structural flood hazard reduction measures within the channel migration zone or floodway.
3. The following uses and activities may be appropriate and/or necessary within the channel migration zone or floodway:
  - a. Actions that protect or restore the ecosystem-wide processes or ecological functions.
  - b. Forest practices in compliance with the Washington State Forest Practices Act and its implementing rules.
  - c. Existing and ongoing agricultural practices, provided that no new restrictions to channel movement occur.
  - d. Mining when conducted in a manner consistent with the environment designation and with the provisions of Chapter 23.40.140 Mining.
  - e. Bridges, utility lines, and other public utility and transportation structures where no other feasible alternative exists or the alternative would result in unreasonable and disproportionate cost. Where such structures are allowed, mitigation shall address impacted functions and processes in the affected section of watershed or drift cell.
  - f. Repair and maintenance of an existing legal use, provided that such actions do not cause significant ecological impacts or increase flood hazards to other uses.
  - g. Development with a primary purpose of protecting or restoring ecological functions and ecosystem-wide processes.
  - h. Modifications or additions to an existing nonagricultural legal use, provided that channel migration is not further limited and that the new development includes appropriate protection of ecological functions.
  - i. Measures to reduce shoreline erosion, provided that it is demonstrated that the erosion rate exceeds that which would normally occur in a natural condition, that the measure does not interfere with fluvial hydrological and geomorphological processes normally acting in natural conditions, and that the measure includes appropriate mitigation of impacts to ecological functions associated with the river or stream.

1.4. Structural Flood control works shall be permitted only when it is demonstrated by engineering and scientific evaluations that:

- a. They are necessary to protect health/safety and/or existing development;
- b. Nonstructural flood hazard reduction measures are infeasible; and



- c. Measures are consistent with an adopted comprehensive flood hazard management plan that evaluates cumulative impacts to the watershed system.
- ~~2.5.~~ Place new structural flood hazard reduction measures landward of the associated wetlands, and designated vegetation conservation areas, except for actions that increase ecological functions, such as wetland restoration, or as noted below. Provided that such flood hazard reduction projects be authorized if it is determined that no other alternative to reduce flood hazard to existing development is feasible. The need for, and analysis of feasible alternatives to, structural improvements shall be documented through a geotechnical analysis.
- ~~3.6.~~ New flood control works are prohibited on estuarine shores, on point and channel bars, and in salmon and trout spawning areas, except for the purpose of fish or wildlife habitat enhancement or restoration.
- ~~4.7.~~ Revetments shall only be permitted for public projects, and shall not be placed waterward of the OHWM except for weirs and current deflectors where necessary to protect bridges and roads.
- ~~5.~~ Revetments and levees shall be designed consistent with appropriate engineering standards and WCC Title 17. Height shall be limited to the minimum required to protect the adjacent lands from the designed flood and demonstrated through hydraulic modeling that the height will not adversely impact shoreline ecological functions and processes.
8. Weirs and current deflectors are permitted only when necessary to protect public bridges and roads.
- ~~6.9.~~ Channelization projects that damage fish and wildlife resources, degrade recreation and aesthetic resources, or result in high flood stages and velocities shall not be permitted when feasible alternatives are available.
- ~~7.10.~~ Flood control works and instream structures shall be constructed and maintained in a manner that does not degrade the quality of affected waters. The County may require reasonable conditions such as setbacks, buffers, or storage basins to achieve this objective.
- ~~8.11.~~ Flood control works should provide access to public shorelines whenever possible, unless it is demonstrated that public access would cause unavoidable public health and safety hazards, security problems, unmitigatable ecological impacts, unavoidable conflicts with proposed uses, or unreasonable cost. At a minimum, flood control works should not decrease public access or use potential of shorelines.