

## 2-18-10 DRAFT Chapter 9 Shoreline Environment Designations

Draft modified in May 2006 to address public and Planning Commission comments, and further modified after that time to address Department of Ecology Comments on the May draft. Changes with no dates or explanation are discussed in the 6-1-06 "Response to Comments." Changes made after that point include the date the change was made and the reason for the change, except that corrections to the zoning and Comprehensive Plan designations were made in Feb. 2010 without noting the date of the change.

### Introduction

Shoreline Environment Designations are intended to encourage uses and activities that will protect or enhance the present or desired character of a shoreline. Like most others in the state, the City of Moses Lake's original Shoreline Master Program (SMP) used a classification system composed of four Shoreline Environment Designations ("Natural", "Conservancy", "Rural" and "Urban") intended to accommodate different levels and types of development. The state's new SMP guidelines recommend a new classification system to better reflect development patterns and to dovetail more readily with the requirements of the Growth Management Act. The City of Moses Lake used the state's new classification system as a starting point and tailored it to suit local conditions, local interests, and growth management planning. The City's new system includes nine Shoreline Environment Designations.

Each segment of shoreline in the City of Moses Lake and its Urban Growth Area (UGA) has been given a Shoreline Environment Designation based on its ecological function and value, existing and planned development patterns, and local interests, as reflected in the public participation process conducted as part of the development of this plan. The assessment of ecological function and value was derived from the Inventory and Analysis prepared by Central Washington University, described in Chapters 3 and 4 of this plan and incorporated as Appendix   . Development characteristics are a function of three factors:

- Zoning
- Current use
- Comprehensive Plan and *Park, Recreation, and Open Space Plan* designations (which reflect the City's anticipated need for commercial and industrial land and, more specifically, for water-dependent and water-oriented uses)

This chapter includes classification criteria for each Shoreline Environment Designation. A section for each Shoreline Environment Designation lists the policies and regulations specific to that designation, and, for all designations except Aquatic, lists the shoreline segments ("reaches") designated and the rationale for each designation. Allowed uses and development standards follow in tabular form. The policies specific to each designation, along with relevant policies from Chapters 6, 7, and 8, were used in determining the uses and activities allowed in each shoreline environment. The development standards and development criteria specify how and where permitted development can take place within each shoreline environment.

### City of Moses Lake Shoreline Environment Designations

This master program establishes nine shoreline environments for the City of Moses Lake and its UGA:

H = High Intensity  
H-R = High Intensity—Resource Area  
SR = Shoreline Residential  
SR-R = Shoreline Residential—Resource Area  
SR-S = Shoreline Residential—Special Resource Area  
SR-D = Shoreline Residential—Dunes Area  
W = Water-Oriented Parks and Public Facilities  
N = Natural  
A = Aquatic

Resource designations (“High Intensity—Resource Area”, “Shoreline Residential—Resource Area”, and “Shoreline Residential—Special Resource Area”) indicate the need for special consideration to protect ecological functions and values. On lands bearing Resource designations, that consideration shall be reflected in regulations applying to a Resource Zone, ~~which shall commence at the OHWM and extend inland to incorporate all shoreline wetlands, other shoreline critical areas, and shoreline vegetation existing at the time of the Shoreline Inventory and Characterization. The Resource Zone shall vary in width depending on the type, extent, and value of the resource to be protected, and in all cases shall extend at least 15 feet inland from the OHWM~~ [Change made after December 2009 consultation with Ecology. Resource zones of varying width would be difficult to regulate without a site-specific study for each site at the time of development]. Regulations that apply to uses and activities within the Resource Zone are shown in Table 9.3.

The table below describes the designation criteria for each of the nine shoreline environments. Policies for each shoreline environment follow.

**TABLE 9.1  
SHORELINE ENVIRONMENT CLASSIFICATION CRITERIA**

<b>Environment designation</b>	<b>Classification criteria</b>	<b>Comments</b>
High-Intensity	Ecological functions on lands to be designated “High Intensity” are impaired to a degree that renders them suitable for water-oriented uses; they currently support or are planned for high-intensity uses.	<i>Although they are among the most heavily impaired shoreline lands in Moses Lake, High Intensity lands retain resource value and present opportunities for protection and restoration</i>
High-Intensity—Resource	Lands to be designated “High Intensity —Resource” demonstrate impairments to ecological function. They retain important ecological functions and have the potential for development that is compatible with ecological protection and restoration. They currently support or are planned for high-intensity uses.	
Shoreline Residential	Ecological functions on lands to be designated “Shoreline Residential” are impaired to a degree that renders them suitable for water-oriented uses; they currently support or are planned for shoreline residential uses. <u>These areas have more than half of the shoreline previously hardened with bulkheads, have many existing docks, have few undeveloped parcels, do not have wetlands, and have little to no existing emergent vegetation.</u> <u>[Clarification added at the request of Ecology, 11-28-06]</u>	<i>Although they are among the most heavily impaired shoreline lands in Moses Lake, Shoreline Residential lands retain resource value and present opportunities for protection and restoration</i>
Shoreline Residential—Resource	Lands to be designated “Shoreline Residential—Resource” demonstrate impairments to ecological function. They retain important ecological functions and have the potential for development that is compatible with ecological protection and restoration. They currently support or are planned for shoreline residential uses.	
Shoreline Residential—Special Resource	Lands to be designated “Shoreline Residential—Special Resource” demonstrate impairments to ecological function; they also retain important ecological functions and have high potential for	

	ecological protection and restoration because they include relatively large tracts that have not been subdivided or include large wetland areas. They currently support or are planned for shoreline residential uses and are either relatively intact or, if impaired, have not been subdivided and retain extensive natural vegetation.	
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Environment designation	Classification criteria	Comments
Shoreline Residential—Dunes	The area to be designated “Shoreline Residential—Dunes” has been found to be relatively intact as regards ecological function. It is part of a dunes ecosystem that performs important ecological functions. It is also planned for shoreline residential use. The area has high potential for planned development that combines limited residential use with ecological protection and restoration.	
Water-Oriented Parks & Public Facilities	Lands to be designated “Water-Oriented Parks & Public Facilities” demonstrate impairments to ecological function. They retain important ecological functions and have the potential for development that is compatible with ecological protection and restoration. Because many of the sites are owned and managed by the City, the potential for combining restoration with water-oriented uses is high.	
Natural	Lands to be designated “Natural” have been found to be relatively intact as regards ecological function. They perform important, irreplaceable functions that would be damaged by human activity and could not support new development or uses without significant adverse impacts to ecological functions. All islands are to be designated “Natural”.	
Aquatic	Lands designated “Aquatic” are those waterward of the OHWM, including lakebed aquifer recharge areas. <del>Lakebed aquifer recharge areas will be specifically excluded from shoreline regulations regarding aquifer recharge areas. [Ecology, 2-17-10]</del>	

## **High Intensity (H) Environment**

### **Policies**

1. Because shorelines are a finite resource and because high-intensity uses tend to preclude other shoreline uses, emphasis should be given to directing new development into areas that are already developed and are consistent with this master program and the City's Comprehensive Plan, and to uses requiring a shoreline location. Full utilization of existing high-intensity areas should be encouraged before further expansion is allowed. Redevelopment of under-used areas should be encouraged.
2. Priority should be given to water-dependent, water-related, and water-enjoyment uses over other uses. Uses that derive no benefit from a water location should be discouraged.
3. Visual and physical public access should be encouraged.
4. Planning for the acquisition of land for permanent public access to the water in the High Intensity Environment should be encouraged and implemented.
5. In order to make maximum use of the available shoreline resources and to accommodate future water-oriented uses, the redevelopment and renewal of substandard, degraded, or obsolete urban shoreline areas should be encouraged.

### **Reaches Designated "H"**

Most of the reaches designated "H" either support high-intensity uses (in the case of reach 1B) or are planned for such uses. They are zoned Light Industrial (LI), General Commercial & Business (C-2), and [Multi-Family Residential \(R-3\)](#)[Central Business District \(C-1\)](#); and bear *Comprehensive Plan* designations of Central Business District (CBD) or General Commercial (GC). The remaining reaches are highway segments, and are not designated in the *Comprehensive Plan*.

<b>Reach</b>	<b>Rationale</b>	<b>Zoning</b>	<b>Comp Plan Designation</b>
1B	Gravel mining	UR-2, UPF	LDR
9A	Highway	unzoned	Undesignated
12C	Highway	unzoned	Undesignated
13B	Developed downtown commercial use	C-1, C-2, LI	CBD, GC
15B	Developed commercial use	<a href="#">R-3C-2</a>	GC
16A	Highway and commercial use (lodging)	<a href="#">R-3C-2</a>	GC
18B	Highway	unzoned	Undesignated
22D	Highway	unzoned	Undesignated
26D	Highway	unzoned	Undesignated

## **High Intensity—Resource Area (H-R) Environment**

### **Policies**

1. All of the policies listed above for High Intensity shoreline environments also apply in High Intensity—Resource environments.
2. As noted in the general regulations in Chapter 6, enhancement of ecological functions should be required for uses and activities in the High Intensity—Resource environment.

### Reaches Designated “H-R”

The reaches designated “H-R” support and are planned for various commercial and high-density residential uses. They are zoned [Light Industrial \(LI\)](#), General Commercial & Business (C-2), and Multi-Family Residential (R-3); and bear *Comprehensive Plan* designations of Central Business District (CBD), General Commercial (GC), and High-Density Residential (HDR).

Reach	Rationale	Zoning	Comp Plan Designation
9B	Commercial and residential use; wetlands	C-2	GC
12B	Developed commercial use; wetlands	R-3, <del>LI-C-2</del>	HDR, GC, CBD
26C	Commercial use (water-oriented, lodging); emergent vegetation	C-2	GC

### Shoreline Residential (SR) Environment

#### Policies

1. Opportunities for public access to shorelines and water bodies should be encouraged for all developments, including subdivisions, short subdivisions, planned unit developments, commercial uses, public services, and recreational uses, provided any adverse impacts can be mitigated.
2. Public and private recreational facilities and uses that are compatible with residential uses should be encouraged, provided that no net loss of shoreline ecological resources will result.

### Reaches Designated “SR”

The reaches designated “SR” support and are planned for residential uses of various densities. They are zoned for Single-Family Residential (R-1), Single & Two-Family Residential (R-2), and Multi-Family Residential (R-3) use; and bear *Comprehensive Plan* designations of Low-Density Residential (LDR), Medium-Density Residential (MDR), and High-Density Residential (HDR).

Reach	Rationale	Zoning	Comp Plan Designation
8A	Residential use with extensive docks and bulkheads	R-1	LDR
15A	Residential with extensive docks and bulkheads; minimal riparian tree cover and emergent vegetation	R-3	HDR
19A	Residential use with extensive docks and bulkheads	R-1, R-2	MDR, LDR
28	Residential uses with extensive docks and bulkheads	R-1	LDR

### Shoreline Residential—Resource Area (SR-R) Environment

#### Policies

1. All of the policies listed above for Shoreline Residential shoreline environments also apply in Shoreline Residential—Resource environments.
2. As noted in the general regulations in Chapter 6, enhancement of ecological functions should be required for uses and activities in the Shoreline Residential—Resource environment.

### Reaches Designated “SR-R”

Most of the reaches designated “SR-R” support and are planned for residential uses of various densities. Those in the City’s Urban Growth Area (UGA) are zoned Urban Residential 2 (UR-2), Urban Residential 3 (UR-3), and Urban Residential (UR-4); those within the City are zoned Single-Family Residential (R-1), Single & Two-Family Residential (R-2), and Multi-Family Residential (R-3). Both within the City and in the City’s UGA, those reaches bear *Comprehensive Plan* designations of Low-Density Residential (LDR), Medium-Density Residential (MDR), and High-Density Residential (HDR).

Two reaches, 1A and 4C, include land zoned for Light Industrial (ULI) or Urban Commercial 1 (UC-1) use, but designated for Low-Density Residential (LDR) development in the *Comprehensive Plan*. Similarly, Reach 14B is land zoned for a combination of Multi-Family Residential (R-3) and Light Industrial (LI) use and designated for High-Density Residential (HDR) development in the *Comprehensive Plan*. Three reaches include land zoned and/or designated for commercial use. In all three cases, the SR-R shoreline environment designation appears appropriate due to the nature of the surrounding development.

Reach	Rationale	Zoning	Comp Plan Designation
1A	Zoned residential; riparian tree cover, steep slopes, largely unplatted and undeveloped	ULI	LDR
1C	Zoned residential; riparian tree cover, steep slopes	UR-3	LDR
2A	Residential use; riparian tree cover	UR-3	LDR
2D	Residential use; docks; riparian tree cover; emergent vegetation	UR-3	LDR
3A	Residential use; priority habitat	UR-3	LDR
3B	Undeveloped; priority habitat; riparian tree cover	UR-3	LDR
3C	Residential use; docks; priority habitat; emergent vegetation; riparian tree cover	UR-3	LDR
3E	Residential use; docks; riparian tree cover; emergent vegetation	UR-3	LDR
4A	Residential use; docks; emergent vegetation; riparian tree cover	UR-3	LDR
4C	Residential use; docks; emergent vegetation	UR-3, UC-1	LDR
5A	Residential use; priority habitat	UC-1	GC
5C	Residential use; wetland and priority habitat	UR-4	MDR, GC
5E	Residential use	UR-4	MDR
6A	Residential use; priority habitat; riparian tree cover; emergent vegetation	UR-3	MDR, LDR
7	Residential use with docks; emergent vegetation	R-1	LDR
8B	Residential use with docks and bulkheads; riparian tree cover	R-1	LDR
14B	Residential use; emergent vegetation	R-3, LI	HDR, Industrial
16B	Residential use with docks and bulkheads; emergent vegetation	R-1	LDR
17B	Residential and agriculture use; unplatted; emergent vegetation	R-1	LDR
18A	Residential use; emergent vegetation	R-1, R-3	LDR, HDR
19B	Residential use; wetlands and emergent vegetation	R-1, R-3	LDR, HDR
20A	Primarily residential use; priority habitats	R-2, R-3, P	HDR, MDR, PF
21C	Residential use; priority habitats	R-3	HDR
26B	Residential uses; riparian tree cover; emergent vegetation; priority habitats	R-1, R-2, R-3, C-2	LDR, MDR, HDR
29	Primarily residential use; riparian tree cover	R-1, UR-2	LDR
30	Residential uses; riparian tree cover; wetlands; emergent vegetation; priority habitats	UR-2	LDR

### **Shoreline Residential—Special Resource Area (SR-S) Environment**

#### **Policies**

1. All of the policies listed above for Shoreline Residential shoreline environments also apply in Shoreline Residential—Special Resource environments.
2. A conditional use permit should be required for any use or activity requiring a shoreline substantial development permit. *[An earlier draft proposed deleting this provision, but staff has*

decided it should remain. While the CUP requirement is addressed in the table, the policy that supports the regulations in the table should be located here. 6-18-07]

3. The following uses should not be allowed in Shoreline Residential—Special Resource environments: commercial activities, industrial activities, mining, agriculture, golf courses, non-water-oriented recreation, and roads and parking areas that can be located elsewhere.
4. As noted in the general regulations in Chapter 6, enhancement of ecological functions should be required for uses and activities in the Shoreline Residential—Special Resource environment.

### Reaches Designated “SR-S”

The reaches designated “SR-S” include either relatively large tracts that have not been subdivided or large wetland areas, and are planned for residential uses of various densities. They are zoned for Single-Family Residential (R-1) and Multi-Family Residential (R-3) use (within the City) or Residential 2 (UR-2), Urban Residential 3 (UR-3), and Urban Residential (UR-4) use (in the City’s UGA); and bear *Comprehensive Plan* designations of Low-Density Residential (LDR), Medium-Density Residential (MDR), and High-Density Residential (HDR).

Reach	Rationale	Zoning	Comp Plan Designation
2C	Residential use; wetlands; riparian tree cover	UR-3	LDR, MDR
3D	Undeveloped; unplatted; extensive riparian tree cover	UR-3	LDR
4B	Undeveloped; unplatted; wetland habitat; emergent vegetation	UR-3	MDR
5B	Undeveloped; wetland and priority habitat <sup>1</sup>	UR-2, R- <u>2</u>	MDR
5D	Largely undeveloped and unplatted; priority habitat	UR-4	MDR
21B	Relatively undeveloped; wetlands; priority habitats	R-1, R-3	HDR, LDR
23	Residential use with docks; emergent vegetation and wetlands	UR-2	LDR
24B	Residential uses and undeveloped land; wetlands; emergent vegetation	UR-2	LDR

### Shoreline Residential—Dunes Area (SR-D) Environment

#### Policies

1. All of the policies listed above for Shoreline Residential shoreline environments also apply in Shoreline Residential—Dunes environments.
2. A Planned Development Permit should be required for any use or activity in the Shoreline Residential—Dunes environment, with the exception of transportation facilities, which should be allowed with a Conditional Use Permit.
3. The following uses should not be allowed in Shoreline Residential—Dunes environments: commercial activities, industrial activities, mining, agriculture, municipal uses, golf courses, non-water-oriented recreation, and roads and parking areas that can be located elsewhere.
4. As noted in the general regulations in Chapter 6, enhancement of ecological functions should be required for uses and activities in the Shoreline Residential—Dunes environment.

### Reaches Designated “SR-D”

The reaches designated “SR-D” are undeveloped tracts in a dunes ecosystem. They are relatively intact as regards ecological function, and are planned for low-density residential use. Both reaches are located

<sup>1</sup> [5B has since been platted into residential lots, and the wetland portion protected. See Willowcrest Major Plat. South of Scott Road is now inside city limits.](#)

in the City's UGA; they are zoned for Urban Residential 3 (UR-3) use; and designated for Low-Density Residential (LDR) use in the *Comprehensive Plan*.

Reach	Rationale	Zoning	Comp Plan Designation
25	Undeveloped dunes; emergent vegetation; wetlands	UR-3	LDR
26A	Undeveloped dunes; wetlands; riparian tree cover	UR-3	LDR

### **Water-Oriented Parks and Public Facilities (W) Environment**

#### **Policies**

1. Preferred uses in the Water-Oriented Parks and Public Facilities environment are those that support visual and physical access to the water and shoreline while preserving, to the extent practical, the physical and biological resources of the area.
2. Water-oriented uses should be given priority over non-water-oriented uses.
3. Recreational activities that will not be detrimental to the shoreline character, scenic quality, or natural systems should be encouraged.
4. Agricultural, commercial, industrial, mining, and residential uses should be prohibited.
5. As noted in the general regulations in Chapter 6, enhancement of ecological functions should be required for uses and activities in the Water-Oriented Parks and Public Facilities environment.

#### **Reaches Designated "W"**

Most of the reaches designated "W" are public parks; all are either zoned for Public use (P) or located in residential neighborhoods. The Comprehensive Plan designations vary. Most are designated as Public/Open Space (P/OS). Two are designated for Low-Density Residential use (LDR), and one for Commercial—Business District use (CBD). In all cases, the public use is appropriate to its surroundings and reflects the value the community places on public parks, recreation, and open space.

Reach	Rationale	Zoning	Comp Plan Designation
2B	Park	UR-3	LDR
6B	Public park (Cascade Park)	P	P/OS
13A	Public park (Neppel Landing)	P	CBD
17A	Public park (Lower Peninsula boat launch)	P	P/OS
20B	Public park (McCosh Park)	P	P/OS
22B	Public park (Montlake Park)	P	P/OS
24A	Public park (Pelican Point)	UR-2	LDR
27	Public park (Blue Heron Park); riparian tree cover; emergent vegetation	P, R-1	P/OS

### **Natural (N) Environment**

#### **Policies**

1. Physical alterations, including shoreline modifications should only be considered when they serve to protect or enhance a significant, unique, or highly valued feature that might otherwise be degraded or destroyed.
2. Limited access should be permitted for scientific, historical, cultural, educational, and low-intensity recreational purposes, provided that no significant adverse impact on the area will result.
3. A conditional use permit should be required for any use or activity.
4. The following uses should not be allowed in Natural environments: residential uses, commercial activities, industrial activities, mining, agriculture, non-water-oriented recreation, golf courses,

utility corridors [added 12-22-06 because required by WAC 173-26-211(5)(a)(ii)(B); inadvertently left out of previous drafts] and roads and parking areas that can be located elsewhere.

**Critical Areas**

All uses and activities in shoreline environments designated “Natural” must be consistent with all applicable Critical Areas policies in Chapter 6.

**Reaches Designated “N”**

The reaches designated “N” are all relatively intact as regards ecological function. The zoning and comprehensive plan designations vary considerably. In all cases, the reaches have been designated Natural because they perform important, irreplaceable shoreline ecological functions.

Reach	Rationale	Zoning	Comp Plan Designation
10	Undeveloped; wetlands; priority habitats	R-3	GC
11	Undeveloped commercial; wetlands; priority habitats	HI	GC, SA
12A	Undeveloped commercial; wetlands; priority habitats	HI, LI, R-3	GC, HDR, Industrial
14A	Undeveloped; wetlands; emergent vegetation	R-3	HDR
21A	Undeveloped; wetlands; priority habitats	R-3	HDR, SA
22A	Undeveloped; wetlands; emergent vegetation	R-1	LDR
22C	Relatively undeveloped; wetlands; emergent vegetation	R-1	LDR
22E	Undeveloped island; wetlands; emergent vegetation; priority habitats	C-R	SA

**Aquatic (A) Environment**

**Policies**

- Over-water structures should be allowed only for water-dependent uses, ecological restoration [added 12-22-06: allowed by WAC 173-26-211(5)(c)(iii)] or public access. Structures that are not water-dependent should be prohibited.
- Developments within the Aquatic Environment should be compatible with the adjoining upland environment.
- Diverse public access opportunities to the water should be encouraged and developed and should be compatible with the existing shoreline and water uses and environment.
- Aquaculture should be allowed in those areas most suitable for that use.
- In appropriate areas, fishing and recreational use of the water should be protected against competing uses that would interfere with recreation.
- All developments and activities using Moses Lake should be located and designed to minimize interference with surface navigation, to minimize adverse visual impacts, and to allow for the safe unobstructed passage of fish and animals, particularly those whose life cycles are dependent on such migration. Exceptions may be made for projects specifically designed to enhance or protect fish or wildlife or their habitat.
- Abandoned and neglected structures that cause adverse visual impacts or are a hazard to public health, safety, or welfare should be removed or restored to a usable condition consistent with the provisions of this master program.
- Activities that substantially degrade priority habitats should not be allowed. Where such activities are necessary to achieve the objectives of the Shoreline Management Act, RCW 90.58.020, their impacts should be mitigated to provide a net gain of critical ecological functions.
- Shoreline modifications should be considered only when they serve to protect or enhance a significant, unique, or highly valued feature that might otherwise be degraded or destroyed.

10. The size of over-water structures should be limited to the minimum necessary to support the structure's intended use [added 12-22-06; required by WAC 173-26-211(5)(c)(ii)(B)]
11. Multiple use of over-water facilities should be encouraged, to reduce the number of over-water structures required and thereby reduce the impacts of shoreline development and increase effective use of water resources [added 1-9-07; required by WAC 173-26-211(5)(c)(ii)(C)]
12. Uses that adversely impact the ecological functions of critical freshwater habitats should not be allowed except where necessary to achieve the objectives of the Shoreline Management Act (RCW 90.58.020), and then only when their impacts are mitigated according to the mitigation sequence as necessary to assure no net loss of ecological function. [added 6-19-07; required by WAC 173-26-211(5)(c)(ii)(E)]

## **City of Moses Lake Shoreline Environment Designation Map**

The *Shoreline Environment Designations* map in the City of Moses Lake's Shoreline Map Portfolio shows the areas under the jurisdiction of this Master Program and the boundaries of the City's nine shoreline environment designations. It also shows shoreline areas within the City's Urban Growth Area, which have been pre-designated. It shall be the official map of Shoreline Environment Designations. Any other copies, including copies that may be distributed either as part of this Shoreline Master program or separately, shall be unofficial.

## **Shoreline Uses, Activities, and Development Standards**

Chapters 7 and 8 of this Master Program establish policies and regulations for specific shoreline uses and activities. For each of those uses and activities, the Shoreline Use and Activity Chart that follows shows whether it is allowed (with a substantial development permit required for all except exempt uses); requires a conditional use permit; or is prohibited, in each of the shoreline environments.

Following the Shoreline Use Chart is a table of Shoreline Environment Requirements, which outlines the Development Standards for different uses and activities in each Shoreline Environment.

~~It is important to note that, in both the Shoreline Use and Activity Chart and the table of Shoreline Environment Requirements, the regulations shown for Resource environments (High Intensity—Resource Area, Shoreline Residential—Resource Area, and Shoreline Residential—Special Resource Area) apply only to the Resource Zone. Uses and activities outside of the Resource Zone are regulated in the same way as uses and activities in the corresponding shoreline environment without a Resource Area designation. That is, areas outside the Resource Zone in a High Intensity—Resource Area environment will be regulated according to the standards for High Intensity uses and activities. Areas outside the Resource Zone in a Shoreline Residential—Resource Area environment will be regulated according to the standards for Shoreline Residential uses and activities. Areas outside the Resource Zone in a High Shoreline Residential—Special Resource Area environment will also be regulated according to the standards for Shoreline Residential uses and activities.~~

~~[Change made after December 2009 consultation with Ecology. Resource zones of varying width would be difficult to regulate without a site-specific study for each site at the time of development].~~

**TABLE 9.2  
SHORELINE ENVIRONMENT USE & ACTIVITY CHART**

All uses and activities, including those classified as “Allowed” (“P”) in the table below and including those considered exempt, must comply with all provisions of this Shoreline Master Program (SMP), including the General Regulations in Chapter 7. Uses and activities not listed in the Shoreline Environment Use and Activity Chart may be allowed, subject to approval by the Shoreline Administrator, if they comply with the standards in this section and with any special regulations that apply to similar uses.

Legend

H= High Intensity

H-R = High Intensity—Resource Area

SR = Shoreline Residential

SR-D = Shoreline Residential—Dunes Area

SR-R = Shoreline Residential—Resource Area

SR-S = Shoreline Residential—Special Resource Area

W = Water-Oriented Parks and Public Facilities

N = Natural

A = Aquatic

P = Allowed use; Substantial Development Permit required unless use is exempt (see Section   )

CUP = Shoreline Conditional Use Permit required

X = Prohibited use

PD = Planned Development Permit required

S = Same as in adjacent environment shoreward of the OHWM

V = Shoreline Variance Permit required

N/A= Not Applicable

	<b>H</b>	<b>H-R</b>	<b>SR</b>	<b>SR-R</b>	<b>SR-S</b>	<b>SR-D</b>	<b>W</b>	<b>N</b>	<b>A</b>
Agriculture (subject to regulations in Chapter 7)	X	X	X	X	X	X	X	X	NA
Aquaculture (subject to regulations in Chapter 7)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	CUP
Boating facilities (subject to regulations in Chapter 7)									
<u>Boat houses rail-type boat launch systems</u>	CUP	CUP	CUP	CUP	X	X	X	X	S
<u>Boat houses [prohibited by WAC 173-26-211(5)(c)(ii)A]</u>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>
Boat launch ramps, community and public	CUP	CUP	CUP	CUP	X <sup>2</sup>	X	CUP	X	S
Boat launch ramps, private	X	X	<del>CUPX</del>	X	X	X	X	X	S
Boat lifts, private	CUP	CUP	<del>CUPP</del>	<del>CUPP</del>	X	PD	CUP	X	S
Marinas	CUP	CUP	CUP	CUP	X	X	<del>X</del> CUP <sup>3</sup>	X	S

<sup>2</sup> A public or community launch for at least 20 residences may be allowed as a CUP if there are no public launches within 1 mile of the proposed location. [Need to determine whether 1 mile driving is the appropriate distance]

<sup>3</sup> [Added 2-18-10 to address the proposed public marina at Blue Heron Park. Confirmed OK with Ecology]

	<b>H</b>	<b>H-R</b>	<b>SR</b>	<b>SR-R</b>	<b>SR-S</b>	<b>SR-D</b>	<b>W</b>	<b>N</b>	<b>A</b>
Floating homes, houseboats, and liveaboards	X	X	X	X	X	X	X	X	X

	H	H-R	SR	SR-R	SR-S	SR-D	W	N	A
Commercial uses (subject to regulations in Chapter 7)									
Water dependent	P	CUP	P	CUP	X	X	X	X	S
Water related & water-enjoyment	CUP	CUP	CUP	CUP	X	X	X	X	X
Other (not water-oriented)	CUP	CUP	CUP	X	X	X	X	X	X
Docks <sup>4</sup>									
Joint-use community recreational docks	P	P	P	P	P	PD	P	X	S
Private residential docks	X	X	P	P	X <sup>5</sup>	X	X	X	S
Commercial docks	P	CUP	<del>X</del> CUP	<del>X</del> CUP	X	X	X	X	S
Industrial uses	X	X	X	X	X	X	X	X	X
Mining (subject to regulations in Chapter 7)	CUP	X	X	X	X	X	X	X	X
Municipal use (other than recreation, transportation, or utility systems) (subject to regulations in Chapter 7)	P	X	CUP	X	X	X	P	CUP	S
Parking—primary (subject to regulations in Chapter 6)	X	X	X	X	X	X	X	X	X
Parking—serving a permitted use other than a single-family residential use (subject to regulations in Chapter 6)	P	P	P	P	CUP	PD	P	X	X
Parking—serving a single-family residential use (subject to regulations in Chapter 6)	P	P	P	P	P	PD	P	X	X
Public access (subject to regulations in Chapter 6)	P	P	P	P	CUP	PD	P	CUP	S
Recreation (subject to regulations in Chapter 7)									
Water dependent	P	P	P	P	CUP	PD	P	CUP	CUP
Water related	P	CUP	P	CUP	CUP	PD	P	CUP	CUP
<a href="#">Water enjoyment [added Feb. 2010, need to address use]</a>	<u>P</u>	<u>CUP</u>	<u>P</u>	<u>CUP</u>	<u>CUP</u>	<u>PD</u>	<u>P</u>	<u>CUP</u>	<u>CUP</u>
Golf courses <a href="#">[Ecology 8-20-06]</a>	<del>CUP</del> X	<del>CUP</del> X	<del>CUP</del> X	<del>CUP</del> X	X	X	<del>CUP</del> X	X	X
Other (not water-oriented)	P	CUP	CUP	CUP	X	X	X	X	X
Residential uses (subject to regulations in Chapter 7)	P	P	P	P	P	PD	X	X	X
Residential subdivision (subject to regulations in Chapter 6)	P	CUP	P	CUP	PD	PD	X	X	X
Retaining walls for purposes other than shoreline stabilization (subject to regulations in Chapter 6)	X	X	P	<del>CUP</del>	<del>CUP</del>	X	X	X	X
Shoreline modifications (subject to regulations in Chapter 8)									
Dredging	CUP	X	CUP	X	X	X	CUP	X	<del>SCUP</del>
Dredge material disposal	CUP	CUP	CUP	CUP	CUP	X	CUP	CUP	CUP

<sup>4</sup> Docks will only be allowed in accordance with all applicable provisions of this SMP, including critical areas provisions and the specific use regulations that apply to docks.

<sup>5</sup> [Private docks may be allowed as a shoreline conditional use for lots platted prior to 2007 adoption of this Shoreline Master Program.](#)

	H	H-R	SR	SR-R	SR-S	SR-D	W	N	A
Filling	P	CUP	P	CUP	CUP	X	CUP	CUP	CUP
<i>Shoreline modifications, continued</i>									
Shoreline stabilization									
Structural stabilization, other than bulkheads <sup>6</sup>	P	CUP	P	CUP	CUP	PD	P	X	X
Bulkheads <sup>7</sup> <a href="#">[Ecology 11-28-06]</a>	<del>V</del> CUP	<del>V</del> CUP	<del>V</del> CUP	<del>V</del> CUP	<del>V</del> CUP	<del>V</del> CUP	<del>V</del> CUP	<del>V</del> CUP	<del>V</del> CUP
Vegetative stabilization	P	CUP	P	P	CUP	PD	P	<del>X</del> CUP <sup>8</sup>	<del>X</del> CUP
Flood protection facilities	X	X	X	X	X	X	X	X	X
Signs (subject to regulations in Chapter 6)									
Highway, public information, and temporary	CUP	CUP	CUP	CUP	CUP	X	P	X	X
Off-premises outdoor advertising	X	X	X	X	X	X	X	X	X
On premises	P	P	P	P	CUP	PD	P	X	X
Solid waste disposal	X	X	X	X	X	X	X	X	X
Stormwater management facilities (primary) <sup>9</sup>	CUP	CUP	CUP	CUP	CUP	X	CUP	X	X
Transportation facilities (subject to regulations in Chapter 7)	P	CUP	P	CUP	CUP	CUP	CUP	CUP	CUP
Utilities (primary; not associated with a use allowed under the provisions of this SMP) (subject to regulations in Chapter 7)									
Water-oriented	P	CUP	CUP	CUP	X	X	CUP	X	CUP
Non-water-oriented	CUP	X	CUP	X	X	X	CUP	X	CUP

<sup>6</sup> Structural shoreline stabilization will only be allowed in accordance with all applicable provisions of this SMP, including, in the case on non-water-dependent uses, the requirement to demonstrate through a geotechnical report the need to protect the use.

<sup>7</sup> Bulkheads may be allowed with a Shoreline ~~Variance Conditional Use~~ Permit where the need has been documented by a geotechnical analysis. [\[Ecology 11-28-06: variance is not the appropriate permit\]](#) See Bulkhead regulations in Chapter 68. While existing single-family residences are exempt from the requirement to obtain a Shoreline Substantial Development Permit in order to construct a normal protective bulkhead, they must comply with all provisions of this SMP.

<sup>8</sup> [On sites previously disturbed, when accompanied by a habitat restoration and mitigation management plan. \[Suggested 2-17-10 by Ecology, in response to staff's question about whether there were instances where vegetative stabilization should not be prohibited\].](#)

<sup>9</sup> See “Environmental Impacts and Water Quality” in Chapter 6 for policies and regulations related to stormwater management.

**TABLE 9.3  
SHORELINE ENVIRONMENT REQUIREMENTS: DEVELOPMENT STANDARDS AND SPECIFIC SHORELINE  
DEVELOPMENT REGULATIONS**

All uses and activities, including those considered exempt, must comply with all provisions of this Shoreline Master Program (SMP), including the General Regulations in Chapter 7. Uses and activities not listed in the Shoreline Environment Requirements Chart may be allowed, subject to approval by the Shoreline Administrator, if they comply with the standards in this section and with any special regulations that apply to similar uses.

Shoreline buffers ~~Setbacks~~ are in feet, from the Ordinary High Water Mark (OHWM). All uses with 0' ~~setbacks~~ buffer must comply with all provisions of this Shoreline Master Program, including any development standards specific to the use. [All changes from “setback” to “buffer made in response to discussions with Ecology in Dec. 2009]. Other regulations, such as wetland buffers, may require a larger setbackbuffer than is noted in this table [Clarification added at the request of Ecology, 11-28-06]

Where height limits are different from those specified in the Moses Lake Municipal Code, the more stringent requirement (i.e., the lower height limit) shall apply. Height is measured from the average finished grade around the structure to the highest point of the structure.

Legend

- H= High Intensity
- H-R = High Intensity—Resource Area
- SR = Shoreline Residential
- SR-D = Shoreline Residential—Dunes Area
- SR-R = Shoreline Residential—Resource Area
- SR-S = Shoreline Residential—Special Resource Area
- W = Water-Oriented Parks and Public Facilities
- N = Natural
- A = Aquatic
  
- X = Prohibited use
- PD = Planned Development Permit required
- S = Same as in adjacent environment shoreward of the OHWM
- N/A= Not Applicable

	H	H-R	SR	SR-R	SR-S	SR-D	W	N	A
Agriculture <sup>10</sup>	NA	NA	NA	NA	NA	NA	NA	NA	NA
Aquaculture									
Water-dependent structure and facility <u>setbackbuffer</u>	0'	0'	0'	0'	0'	NA	NA	NA	0'
Water-related structure and facility <u>setbackbuffer</u>	25'	50'	25'	50'	150'	NA	NA	NA	NA
Height limit	35'	25'	35'	25'	15'	NA	NA	NA	10'

<sup>10</sup> New agricultural uses are prohibited in areas of shoreline jurisdiction

	H	H-R	SR	SR-R	SR-S	SR-D	W	N	A
Boating facilities ( <a href="#">boat houses [prohibited by WAC 173]</a> , boat lifts, boat launch ramps, and marinas [whether commercial, private, or municipal])									
Water-dependent <a href="#">structure setbackbuffer</a>	0'	0'	0'	0'	0'	0'	0'	NA	0'
Water-related <a href="#">structure setbackbuffer</a>	25'	50'	25'	50'	150'	150'	50'	NA	NA
Height limits									
Over-water structures	NA	NA	NA	NA	NA	NA	NA	NA	15'
0-100 feet from OHWM	35'	25'	25'	25'	15'	15'	15'	NA	NA
>100 feet from OHWM	35'	35'	35'	35'	35'	35'	35'	NA	NA
Commercial development—water dependent									
Water-dependent <a href="#">setbackbuffer</a>	0'	0'	0'	0'	NA	NA	NA	NA	NA
Water-related and water-enjoyment <a href="#">setbackbuffer</a> [ <a href="#">Ecology 11-28-06</a> ]	<del>25'</del> 50'	50'	50'	50'	NA	NA	NA	NA	NA
Non-water-oriented <a href="#">setbackbuffer</a>	50'	150'	75'	150'	NA	NA	NA	NA	NA
Building height limit	35'	35'	35'	35'	NA	NA	NA	NA	NA
<a href="#">Docks: Dimensional standards for docks are found in the Docks section of Chapter 7</a>									
Industrial development <sup>11</sup>	NA	NA	NA	NA	NA	NA	NA	NA	NA
Mining and related facilities <a href="#">setbackbuffer</a>	100'	NA	NA	NA	NA	NA	NA	NA	NA
Parking—primary <sup>12</sup>	NA	NA	NA	NA	NA	NA	NA	NA	NA
Parking—serving a permitted use <sup>13</sup>	50'	75'	75'	100'	125'	150'	150'	150'	NA
Municipal use (other than recreation, transportation, or utility systems)									
Water-dependent <a href="#">setbackbuffer</a>	0'	0'	0'	0'	0'	NA	0'	0'	0'
Water-related and water-enjoyment <a href="#">setbackbuffer</a>	25'	50'	50'	50'	75'	NA	50'	50'	NA
Non-water-oriented <a href="#">setbackbuffer</a>	50'	75'	75'	75'	100'	NA	75'	100'	NA
Building height limit	35'	25'	35'	25'	15'	NA	35'	25'	15'
Recreation									
<a href="#">SetbacksBuffers</a>									
Non-water-oriented <a href="#">structures and facilitiesuses</a>	100'	150'	100'	150'	NA	NA	150'	NA	NA
Water-oriented <a href="#">structures and facilitiesuses</a>	35'	35'	35'	35'	NA	NA	35'	NA	NA
Water-dependent <a href="#">structures and facilitiesuses</a>	0'	0'	0'	0'	0'	0'	0'	0'	0'
<del>Golf courses,</del> play fields, and other intensive use areas [ <a href="#">Ecology 11-28-06</a> ]	<del>50'</del> 100'	150'	<del>50'</del> 100'	150'	NA	NA	100'	NA	NA

<sup>11</sup> New industrial development is prohibited in areas of shoreline jurisdiction

<sup>12</sup> Parking as a primary use is prohibited in areas of shoreline jurisdiction

<sup>13</sup> Parking facilities shall be set back landward of the principal building being served a minimum of twenty-five feet or the required building setback, whichever is greater (see Chapter 6, General Policies and Regulations)

Recreational paths and trails (non-motorized <u>&amp; unpaved</u> ) [ <i>Ecology 11-28-06</i> ]	10'	10'	10'	10'	15'	25'	10'	25'	NA
<u>Recreational paths and trails (non-motorized, paved)</u> <sup>14</sup> [ <i>Ecology 11-28-06</i> ]	<u>50'</u>	<u>50'</u>	<u>50'</u>	<u>50'</u>	<u>50'</u>	<u>50'</u>	<u>50'</u>	<u>50'</u>	<u>NA</u>
Height limit	35'	15'	25'	15'	15'	15'	15'	NA	15'
Maximum site coverage (percent) <sup>15</sup>	40	20	40	20	10	10	20	10	NA

<sup>14</sup> Nodes and viewpoints may be closer than the distance noted.

<sup>15</sup> Includes all impervious surfaces

	H	H-R	SR	SR-R	SR-S	SR-D	W	N	A
Residential uses <sup>16</sup>									
Setback Buffer—all dwelling units, and non-water-dependent accessory structures <i>[Ecology 11-28-06: 20' to 25' too close]</i>	20'50'	50'	25'50'	50'	150'	150'	NA	NA	NA
Height limit	35'	35'	35'	35'	25'	25'	NA	NA	NA
Maximum site coverage (percent) <sup>17</sup>	60	50	50	50	25	25	NA	NA	NA
Maximum density (dwelling units per acre)	15	10	10	6	4	4	NA	NA	NA
Retaining walls for purposes other than shoreline stabilization—setback (subject to regulations in Chapter 6) <i>[Ecology 11-28-06: this setback should not be much more than the structure setback. Otherwise, would be allowing too large an area to be modified (and probably developed as lawn) in the Special Resource designation]</i>	NA	NA	35'20'	50'30'	75'50' 100'	NA	NA	NA	NA
Signs (on premises)									
Maximum height (in feet)	12	6	12	6	6	6	6	6	NA
Maximum surface area (in square feet)	36	36	36	36	36	36	36	36	NA
Setback	20'	50'	25'	50'	150'	150'	20'	NA	NA
Solid waste disposal <sup>18</sup>	NA	NA	NA	NA	NA	NA	NA	NA	NA
Transportation facility setbacks									
Arterials, highways, and railroads (excluding water crossings)	100'	125'	100'	125'	150'	150'	150'	150'	NA
Non-arterial, secondary, and access roads	50'	75'	75'	100'	100'	100'	100'	100'	NA
Utilities (primary; not associated with a use allowed under the provisions of this SMP)									
Setbacks for buildings, storage tanks, accessory uses, and distribution lines (excluding water crossings)	50'	100'	50'	100'	NA	NA	100'	NA	NA
Height limits									
Buildings, storage tanks, and accessory uses	35'	25'	35'	15'	NA	NA	15'	NA	NA
Distribution poles	35'	35'	35'	35'	NA	NA	35'	NA	NA

In all cases, the setback of a structure or facility from a shoreline buffer is a minimum of 15', to allow room for construction without impacting the buffer, and to provide space for yard or landscaping between the structure or facility and the buffer.

<sup>16</sup> Setback relaxation may be allowed where the majority of existing development in an area does not meet the established setback standards, as provided in the Residential Use regulations in Chapter 7.

<sup>17</sup> Includes all impervious surfaces

<sup>18</sup> Solid waste disposal is prohibited in areas of shoreline jurisdiction