

**PLANNING COMMISSION  
MEETING**

**August 7, 2019  
6:30 p.m.**

**AGENDA**



*"Where Dreams Can Soar"*

*The City of Bonney Lake's Mission is to protect the community's livable identity and scenic beauty through responsible growth planning and by providing accountable, accessible and efficient local government services.*

[www.ci.bonney-lake.wa.us](http://www.ci.bonney-lake.wa.us)

---

---

**Location:** Justice & Municipal Center, 9002 Main Street East, Bonney Lake.

**Planning Commission Members:**

Grant Sulham – Chair  
Craig Sarver – Vice Chair  
David Baus  
Brad Doll  
Dennis Poulsen  
Debbie Strous-Boyd  
Bill Fredric

**City Staff:**

Debbie McDonald, Planning Commission Clerk  
Jason Sullivan, Planning and Building Supervisor  
Nate Schildmeyer, Assistant Planner

**I. Call to Order**

**II. Roll Call & Next Meeting Poll (August 21, 2019)**

P.3 **III. Approval of Minutes**

**IV. Public Comments and Concerns**

**V. Public Hearing**

P.5 A. Ordinance D19-08 Shoreline Master Program Periodic Update

**VI. Old / Continuing Business**

P.105 A. Planning Commission Future Agendas

**VII. New Business**

P.109 A. Draft VISION 2050

**VIII. For the Good of the Order**

- A. Correspondence
- B. Staff Comments
- C. Commissioner Comments

**IX. Adjournment**

**Next Scheduled Meeting:** August 21, 2019

*This Page Intentionally Left Blank*

**PLANNING  
COMMISSION MEETING**

**May 15, 2019  
6:30 p.m.**

**DRAFTED MINUTES**



*"Where Dreams Can Soar"*

*The City of Bonney Lake's Mission is to protect the community's livable identity and scenic beauty through responsible growth planning and by providing accountable, accessible and efficient local government services.*

[www.ci.bonney-lake.wa.us](http://www.ci.bonney-lake.wa.us)

**Location:** Justice & Municipal Center, 9002 Main Street East, Bonney Lake.

- I. Call to Order:** The meeting was called to order at 6:30 P.M.
- II. Roll Call:** Planning Commissioners in attendance were Chair Grant Sulham, Vice-Chair Craig Sarver, Commissioner Debbie Strous-Boyd, Commissioner Bill Frederic, Commissioner Brad Doll and Commissioner Dennis Poulsen
- III. Absent:** Commissioner David Baus

Staff members in attendance were Planning and Building Supervisor Jason Sullivan, Assistant Planner/Code Enforcement Nate Schildmeyer and Planning Commission Clerk Debbie McDonald

**Motion was made by Commissioner Doll and seconded by Commissioner Frederic to cancel the June 5, 2019 meeting.**

**Motion Approved 6-0**

**Motion was made by Commissioner Doll and seconded by Commissioner Frederic to excuse Commissioner Baus from tonight's meeting.**

**Motion Approved 6-0**

- IV. Approval of Minutes:**

**Motion was made by Vice-Chair Sarver and seconded by Commissioner Doll to approve the minutes from the April 17, 2019 meeting as written.**

**Motion Approved 6-0**

- VI. Public Comment and Concerns:**

Lyle Wallace 20510 Church Lake Dr. E. Wants clarification on what has to be done to fix one board on his dock.

- VII. Public Hearings:** NONE

- VIII. Old/Continuing Business:** NONE

- IX. New Business:**

A. Ordinance D19-XX Shoreline Master Program (New Draft Regulations and Shoreline Element of Bonney Lake 2035) update.

Planning and Building Supervisor Sullivan introduced Assistant Planner Nate Schildmeyer to discuss the Shoreline Master Program update.

Assistant Planner Schildmeyer presented his update to the Shoreline Master Program. The City is still waiting for Cascade Water Alliance's approval. Did provide in the update all the comments that the City received. Will correct any spelling errors and have a clean draft for the Public Hearing in August. Will speak with Mr. Wallace about changing out a board on a dock.

Commissioners had questions.

**X. For the Good of the Order:**

**A.** Correspondence: NONE

**B.** Staff Comments:

Planning and Building Supervisor Sullivan reported that the school impact fees were adopted by City Council. Critical Area Ordinance is going to City Council Workshop.

**C.** Commissioner Comments:

Commissioner Sarver thanked Assistant Planner Schildmeyer for all his work on the Shoreline Master Program update.

**XI. Adjournment:**

**Motion was made to adjourn the meeting by Commissioner Doll and seconded by Commissioner Frederic.**

**Motion Approved 6-0**

**Meeting adjourned at 8:02**

---

Debbie McDonald Planning Commission Clerk



# Public Services Department Memorandum

**Date:** August 7, 2019  
**To:** Planning Commission  
**From:** Nate Schildmeyer – City of Bonney Lake Assistant Planner  
**Re:** **2019 Shoreline Master Program (SMP) periodic update.**

---

## **PURPOSE:**

The purpose of this memorandum is to explain the proposed changes to the City's SMP as a part of the City's required 2019 periodic update by fulfilling the requirements of WAC 173-26-110(4), in order to facilitate the Planning Commission's public hearing for Ordinance D19-08.

## **ATTACHMENTS:**

1. Ordinance D19-08
2. Public Comment Matrix
3. Planning Commission Recommendation Memo

## **SUGGESTED MOTION:**

*I move to recommend that the City Council adopt Ordinance D19-08 amending and updating the City's Shoreline Master Program as proposed.*

## **BACKGROUND:**

As required in RCW 90.58.080(4)(b)(i), the City of Bonney Lake is undertaking a periodic review and update of the Shoreline Master Program (SMP). The shoreline jurisdiction consists of all landward areas within 200 linear feet of the Ordinary High Water Mark (OHWM), as designated by the State of Washington. The City's adopted SMP is composed of three parts: the regulatory requirements of BLMC Chapter 16 Division III, the policies found in the Shoreline Element (chapter 8) of the City's comprehensive plan *Bonney Lake 2035*, and the *Shoreline Restoration Plan* which was adopted at the time of the City's comprehensive update and is not being updated as a part of this effort. During this on-going periodic review process, the City has completed an initial checklist and determined that the current SMP meets the requirements for continued consistency with the Shoreline Management Act and State

law; however, the City has elected to take this opportunity to make some minor revisions and modifications to the regulations and policies of the SMP for the purpose of internal consistency with the comprehensive plan (in the case of the revisions to the shoreline element) and for greater effectiveness based on experience with the regulations as-written.

The City submitted a set of draft regulatory changes and a revised version of the Shoreline Element to the Department of Ecology (ECY) for their initial review on April 5<sup>th</sup>, and had a phone call with the ECY reviewer on April 9<sup>th</sup> to discuss the proposed changes to the Shoreline Element and the City's shoreline regulations. The City also provided copies of those draft changes to Cascade Water Alliance (CWA) at that time and to the Department of Fish and Wildlife (WDFW) in order to adjudge whether those organizations, because of their positions as primary lakebed and shore land property owner (CWA) and overwater regulatory authority (WDFW), had any special concerns based on their unique prerogatives. The City received a handful of suggestions from CWA, and no specific response from WDFW. The City received feedback on the regulatory proposed changes from ECY on May 2<sup>nd</sup>. No feedback related to the proposed revisions to the Shoreline Element of *Bonney Lake 2035* was included in the response from ECY.

## **DISCUSSION:**

As a brief reminder, the three primary issues that staff is attempting to better address with these changes are 1) adding additional incentives that can effectively induce private residential property owners adjacent to Lake Tapps to plant and maintain native vegetation in the vegetation conservation zone, 2) legalizing non-conforming structures and development as allowed under State law, and 3) simplifying requirements for dock design. These factors were the primary issues raised at the Kick-off Open House held on November 1, 2018, and are anecdotally the primary issues that staff find to be commonly raised by proponents of development related to projects in the shoreline jurisdiction.

City staff have now revised the proposed regulations to incorporate much of the feedback received from ECY, and the draft materials are being presented tonight for discussion and comment by the Planning Commission. A summary of the comments that were received from ECY on May 2<sup>nd</sup> is included below, along with a description of how those comments were incorporated into the revised draft regulations in Attachment 2. If the suggestions were not incorporated into the draft regulations, an explanation of why those suggestions were not incorporated is provided.

1. City's proposed change: Make the word "development" plural within the definition by adding an "s" to the end of it. In the context of the sentence, it seemed appropriate to make development plural.

ECY's response: To point out that this definition, which appears in the requirements of the WAC related to the listed exemptions from getting a shoreline development permit, is related to the exemptions section.

Resulting change: Withdraw proposal of any change. The revised version does not include any proposed change to this definition.

2. City's proposed change: Remove the phrase "over the water" from the definition of "Boat House," and add the phrase "water-related recreational equipment" related to the storage use of such a structure. This alteration relates to the new incentives that would allow an upland storage building under revised section BLMC 16.56.040.F.

ECY's response: To point out that there is a discrepancy between "Boat House," "Dry Boat Storage," and some other terminology in the code related to prohibited overwater storage of boats.

Resulting change: Staff has decided to stick with the definition of "Boat House" as the small upland storage building that will be allowed under the new incentive in BLMC 16.56.040.F, and to keep the changes proposed to ECY on the 5<sup>th</sup> of April while deleting "dry boat storage" from the definitions section.

3. City's proposed change: Add a definition for "Detached house" in order to keep the replacement phraseology throughout the code consistent as the City moves away from the term "single family residence."

ECY's response: Elsewhere in the update the term "detached dwelling" is used, while "detached house" is not.

Resulting change: Staff revised the term per the recommendation of Ecology.

4. City's proposed change: Staff proposed revising the definition of "Duplex" to specify the difference between a duplex and a detached dwelling with an ADU.

ECY's response: Ecology pointed out that ADU was not defined in the SMP.

Resulting change: No change. The definition of ADU currently appears in the SMP and is not being revised here.

5. City's proposed change: Staff had deleted the definition of "Float" as a part of the effort to simplify the dock requirements. Staff also removed terms like "ells" and "Finger pier" as well, in order to make the dock and pier requirements less convoluted.

ECY's response: Ecology questioned this deletion, especially since the City is proposing to allow more temporary floating recreational equipment during the warmer months of the year when the water level of Lake Tapps is generally at 'full pool.' Much of that floating recreational equipment could be encompassed under this definition.

Resulting change: Staff revised the proposed regulatory change and re-inserted the definition without change.

6. City's proposed change: The City proposed combining the existing definitions of "Nonconforming development" and "Nonconforming use" in such a way to align with the changes to the "Nonconforming uses and developments" section in BLMC 16.56.150.

ECY's response: Ecology felt that these two elements of the nonconforming regulations needed to remain separated to draw a clear distinction between uses and development (specifically *structures*).

Resulting change: Staff re-separated the two terms as suggested by Ecology, with alterations to the existing language to both terms. The definition for "nonconforming development" has been restricted to development that has been issued a shoreline variance or conditional use permit, while the "nonconforming use" definition has had the term "constructed" removed. These changes reflect the new language that is in BLMC 16.56.0150 related to what development is considered "conforming" as opposed to "nonconforming."

7. City's proposed change: In the **Prohibited shoreline uses and modifications** section of BLMC 16.50.030, "Boat Houses" are a part of that list in the existing code. Now, the City is proposing to redefine them as strictly upland storage structures and, in coordination with CWA, allow them as an incentive to getting property owners to choose to provide planting of native vegetation within the vegetation conservation area adjacent to the OHWM. The City changed the term in the "prohibited" section to "Overwater boat houses."

ECY's response: Ecology pointed out that the City is defining "Boat houses" as strictly upland storage buildings, and points out the conflict.

Resulting change: Staff revised the term in the prohibitions section to "Enclosed overwater storage buildings."

8. City's proposed change: Staff removed "Launching Rails" from the prohibited structures section. This change was made due to the fact that so many homeowners have some version of launching rails that this prohibition is effectively impossible to enforce, and there has been negative public comment and angst against this prohibition received during the update process. In many cases, what constitutes "launching rails" are two 4x4s attached to a bulkhead temporarily to launch personal water craft into Lake Tapps which can be put in the water or taken out of the water at a moment's notice. Property owners are often able to effectively evade enforcement of this prohibition by moving/removing the rails whenever is convenient to avoid observation.

ECY's response: Ecology questioned the purpose of this change generally.



Resulting change: Staff has modified the approach to prohibition of “Permanent launching rails.” This way, the permanent attachments used for these types of things can be identified as the prohibited development features, whether or not the actual rails are in the water or out of the water at the time of observation. This will help staff target enforcement of this prohibition.

9. City’s proposed change: The City had not proposed a change to section BLMC 16.54.030.B which reads “Renting, leasing, or selling moorage space associated with a single family, duplex, or multifamily residence dock or pier is prohibited.”

ECY’s response: Ecology suggested that “single family, duplex, or multifamily residence dock or pier” be replaced with “residential use.”

Resulting change: This phraseology is more succinct and seems to encapsulate the intent of the section comprehensively. The City has adopted this change in the current draft under consideration.

10. City’s proposed change: The City proposed changing the term “single family residential” to “detached dwelling unit” in BLMC 16.54.030.D.

ECY’s response: Ecology suggested replacing the term “detached dwelling unit” with “one (1) detached dwelling unit.”

Resulting change: The change seems unnecessary. Staff has decided to stick with the original revision.

11. City’s proposed change: The City modified the piers and docks dimensional standards found in 16.54.030.G to remove the specific requirements of pier and dock elements, without changing the overall dimensional limits for the structure as a whole.

ECY’s response: Ecology has suggested that their interpretation of the wording of WAC 173-26-231(3)(b) means that the maximum width of a dock or pier element should be six (6) feet; however, no justification for this arbitrary limit is given except to rely on this language from the referenced section of the WAC: “Pier and dock construction shall be restricted to the minimum size necessary to meet the needs of the proposed water-dependent use.”

Resulting change: The City does not agree with Ecology’s interpretation of this section and did not incorporate this suggested change into the referenced section of this draft code.

12. City’s proposed change: BLMC 16.54.030.I, which deals with pier and dock design standards generally, was amended to include a section that states: “No part or portion of a pier or dock, nor any accessory to a pier or dock such as a boat lift, shall extend beyond the limit of the shoreline frontage of a lot as determined using the methodology specified in BLMC 16.56.090. The width of a pier and/or dock may not exceed 40% of the length of a property’s shoreline”

frontage or 12 feet, whichever is less.” Staff had determined the appropriateness of these standards based on the fact that it would allow a property with a lengthy section of shoreline frontage to build a 12-foot-wide by 30-foot-long dock (at the maximum allowed 360 square foot area) and tie a boat or two personal water craft to the end of the dock without exceeding the 50 foot length limit. Conversely, a property owner with little shoreline frontage based on the geography of the OHWM would not be restricted below the 40% of the length of the frontage level. These dimensions are also not out of character with the existing development patterns that can be observed along the shoreline of Lake Tapps already.

During the City’s conversation with Ecology on April 9<sup>th</sup> to discuss the proposal, Ecology expressed concern with property owners building what amounted to overwater “decks” that were intended for recreational purposes other than “as a facility for access to watercraft,” as required in WAC 173-26-231(3)(b), and the “minimum size necessary to meet the needs of the proposed water-dependent use” standard could be violated.

ECY’s response: Ecology’s response to the City’s regulatory proposal was to state a blanket limit of 6 feet in width should apply to all pier/dock elements, citing WAC 173-26-231(3)(b) as the justification.

Resulting change: The City would still like to divorce our regulations from the arbitrary assignment of limits on the width of piers and docks. Some justified limits are appropriate to protect some separation between structures to provide space for safe operation of watercraft and water-related recreation. In the revised draft, the City has reduced the percentage proposed to 25% which mirrors the allowed width of the upland access corridor allowed to property owners through the native vegetation zone and 10 feet of maximum width, whichever is less. At ten feet of width, residents that need space to pull watercraft such as kayak or canoes out of the water safely or that may need to use a wheelchair can better use the dock or pier for the water-dependent, watercraft access purposes for which they are intended. The interpretation provided by Ecology that there is a six (6) foot maximum width is not justified, so it has not been incorporated into the latest regulatory draft.

13. City’s proposed change: The City has proposed allowing additional temporary recreational equipment such as floating platforms, beyond what is already allowed in BLMC 16.54.030.K, during the period between May 1 – September 30. Conditions on this allowance are that the recreational equipment “may not impede navigation routes on Lake Tapps” and shall not “be allowed to rest on the shore lands during times of water ‘drawdown’.”

ECY’s response: Ecology pointed out that the use of the word “may” would not compel compliance and suggested changing to “shall.”

Resulting change: Changed per the suggestion from Ecology.

14. City's proposed change: BLMC 16.54.030.N.1 currently allows, as accessories to residential docks, "two Jet Ski lifts per single-family lot." The City changed the term "single-family" to "residential," and changed the term "Jet Ski," which is technically a trademarked type of personal water craft, to "personal water craft."

ECY's response: Ecology felt that the change from "Jet Ski" to "personal water craft" was increasing ambiguity, and should be returned to the original language.

Resulting change: The City will retain the change to "personal water craft," since it is more accurate to what is being regulated by this section. The lifts in question are generally designed to work with many brands of personal water craft.

15. City's proposed change: The City added two additional planting incentives in order to encourage private property owners to plant native vegetation in the vegetation conservation areas adjacent to the OHWM. In the *Shoreline Restoration Plan*, it was specified that the primary opportunity to maintain and improve ecological functions related to Lake Tapps was to incentivize/require planting of native vegetation at the OHWM, so adding these incentives is directly in line with that adopted plan and the ideas generated by members of the public.

One is in proposed section BLMC 16.56.040.E that would allow property owners, with the cooperation of CWA, to include areas of CWA's property in calculating impervious surfaces allowed on their property in exchange for providing vegetation planting. The other is to allow a small storage "boat house" upland from the OHWM to allow property owners to store water-related recreational equipment at the water's edge in exchange for the same planting requirements mentioned above.

ECY's response: Ecology commented on the second of these incentive ideas and added what they feel are appropriate modifying conditions. These included an explicit restriction on creating habitable space, rooftop decks, and limiting the placement to the specified access corridor areas. They also suggested reducing the allowed square footage of the structure from 200 square feet to 150 square feet.

Resulting change: City staff slightly modified the specific suggestions, but for the most part has adopted the suggestions from Ecology in the current draft.

16. City's proposed change: BLMC 16.56.060.F deals with tree removal, and as written has caused confusion in its application because of dissonance between its intent and its language. It was written as a means to regulate tree clearing within the vegetation conservation area; however, the way that it is written applies it to the entire 200' shoreline jurisdiction. As a somewhat 'happy accident,' it has been effective in its application in discouraging disallowed tree removals in the areas of the shoreline jurisdiction outside of the vegetation conservation areas on shoreline lots. Because the shoreline exemption application generally costs \$50 and takes days/weeks to issue,

it has been a useful way for the City to review, authorize, and mitigate for tree removal in the shoreline jurisdiction areas outside of the vegetation conservation area.

The proposed change was written to formalize our standing practice: require review through a shoreline exemption request and replace removed trees at a 1:1 ratio of like-for-like tree species when feasible (based on a simple standard of no-net-loss).

ECY's response: Ecology suggested that the way this is written was confusing, and suggested a different alternative regulatory strategy that would combine the sections dealing with tree removal within the vegetation conservation area and outside of the vegetation conservation area.

Resulting change: Instead of implementing Ecology's suggested method, the City has inserted the language "For trees outside of the vegetation conservation area," to apply specifically to BLMC 16.56.060.F, to better differentiate the requirements within the vegetation conservation area and outside of that area. Staff feel that this is adequate and straightforward enough to accomplish the same objective.

17. City's proposed change: The City altered the existing **Nonconforming uses and developments** section found in BLMC 16.56.150 to better reflect the presence of development that has been constructed, altered, improved, repaired, etc. prior to the establishment of the ecological baseline conditions that were considered as a part of the comprehensive update that took effect on October 16, 2014. The City's ability or inability to establish what specific development was "legally established" and what development was not is often compromised based on regulatory changes that have happened over the years, records retention and destruction schedules, transfers of property ownership, etc. There are many residential properties where there is just no information available to determine what was done when and by whom. Based on applicable language in the State's regulations, staff reworded the section to tie the existence of development at the time of SMP adoption on October 16, 2014 to status as "legally established," based on the fact that by existing at that time, that development was part of our ecological baseline. No net loss of ecological function can result from previously-existing development remaining in place.

ECY's response: State statutes allow local jurisdictions to determine which established structures, uses, and development is considered conforming, but not necessarily to define those structures or development as "legally established."

Resulting change: City staff have made the appropriate changes to change language i.e. the status of development that was part of the ecological baseline condition upon adoption of the current SMP regulations from "legally established" to "legally conforming."

18. City's proposed change: The City removed "substantial development permits" from the requirement in current section BLMC 16.58.120.A.3 for SEPA review. Even though City staff still need to determine whether or not a SEPA review is required for the shoreline development

permit, a formal review is not required since that would involve submittal of a SEPA checklist, a formal review process, and the appropriate fees per BLMC 3.68. Staff will still determine if SEPA is required even with this change to code language happens; however, there are some upland projects that would require a shoreline permit but would be SEPA exempt (below the applicable threshold) if we adopt this change.

ECY's response: Ecology expressed concern that the City would fail to carry out SEPA review when required if shoreline development permits are struck from this section, writing in the review comments: "What SEPA Review to me means, that you looked at the parameters of the proposal and decided if it was exempt or not and took the appropriate action."

Resulting change: Since the expressed concern from Ecology is addressed in practice, and the current language requires formal SEPA review when upland projects would otherwise be exempt, the City is choosing to retain the original draft language. The exclusion of shoreline development permits from this section does not exempt projects that are non-exempt from SEPA review from getting the appropriate review—it merely allows exempt projects to remain exempt.

## **CONCLUSION:**

Staff has made these materials available on the City's website for review, and has followed the procedural requirements of WAC 173-26-104 for the "Optional joint review process for amending shoreline master programs". In addition, staff conducted a public open house event on July 18, 2019 in order to share the draft materials with the public, answer any questions, and to give the public the opportunity to provide written comment during that event. Once the public hearing is complete staff will prepare and compile all the required materials for initial submittal to ECY for review per WAC 173-26-104(3)(a) before the proposal will be forwarded to the City Council for action.

*This Page Intentionally Left Blank*

**ORDINANCE NO. D19-08**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING CHAPTERS 16.36, 16.38, 16.40, 16.42, 16.44, 16.46, 16.48, 16.50, 16.52, 16.54, 16.56 AND 16.58 AND THE CORRESPONDING PORTIONS OF ORDINANCE NUMBERS 1491 AND 1523 RELATED TO THE CITY'S CRITICAL AREAS REGULATION.**

**WHEREAS**, the foundation for shoreline management in Washington state is the Shoreline Management Act (Chapter 90.58 RCW) which was enacted by the Washington State Legislature in 1971 and ratified by a vote of the people in 1972; and

**WHEREAS**, pursuant to WAC 173-26-090 and RCW 90.58.080(4)(b)(i) the City is required to undertake and complete a periodic review and update of the adopted SMP to be completed by June 30, 2019; and

**WHEREAS**, RCW 36.70A.480(1) provides that the goals and policies of the Shoreline Master Program shall be considered an element of a jurisdiction's comprehensive plan and the regulatory provisions of the Shoreline Master Program shall be considered a part of a jurisdiction's development regulations; and

**WHEREAS**, as part of the 2018 – 2019 Planning Work Plan, the City Council directed staff to review and revise the City's Shoreline Master Program Regulations codified in Title 16 Division III in the Bonney Lake Municipal Code; and

**WHEREAS**, the Public Services Director acting as the SEPA Responsible Official issued a Determination of Non-Significance on September 16, 2013 related to the comprehensive Shoreline Master Program update and adopted that Determination related to this periodic update on 04/22/2019; and

**WHEREAS**, the Planning Commission held a public hearing on August 7, 2019 as required by BLMC 14.10.090.C and recommended that the City Council adopt the amendments contained in this ordinance; and

**WHEREAS**, pursuant to RCW 36.70A.106(3)(b) the City requested review of this Ordinance from the Department of Commerce. The Department of Commerce review period concluded on June 21, 2019;

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON DO ORDAIN AS FOLLOWS:**

**Section 1. Findings of fact and conclusions.** The findings of fact set forth in Attachment “A,” attached hereto and incorporated by this reference, are adopted in full by the City Council in support of its decision to adopt the amendments contained in this ordinance.

**Section 2. Comprehensive Plan Chapter.** The City Council hereby adopts a revised chapter of the Bonney Lake comprehensive plan, *Bonney Lake 2035*, entitled “Shoreline Element” and included as Attachment “B,” attached hereto and incorporated by this reference.

**Section 3.** Chapter 16.36.040 of the Bonney Lake Municipal Code and the corresponding portions of Ordinance No. 1491 § 5 is amended to read as follows:

**Chapter 16.36.040 “A”**

“Accessory use” means any structure or use incidental and subordinate to a primary use or development on the same site.

**Section 4. Shoreline code definitions.** Chapter 16.36.050 of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

**Chapter 16.36.050 “B”**

“Boat House” means a structure ~~over the water or directly~~ landward of the OHWM designed for the storage of boats or water-related recreational equipment, but not including boat lift canopies.

“Boat Ramp” means graded slopes, slabs, pads, or planks used for launching boats by means of a trailer, hand, or mechanical device.

~~“Building height” see “Height” in BLMC 16.36.030.C.~~

**Section 5. Shoreline code definitions.** Chapter 16.36.060 of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 and Ordinance 1523 § 9 is amended to read as follows:

**Chapter 16.36.060 “C”**

“Clearing” means the destruction or removal of vegetation groundcover, shrubs and trees including root material removal and topsoil removal by physical, mechanical, chemical, or other means.

“Covered moorage” means boat moorage waterward of the OHWM, with or without walls, that has a rigid roof to protect the vessel.

“Critical Areas Code” means the City of Bonney Lake’s Critical Areas Code codified in Chapter 16.20 BLMC through Chapter 16.30 BLMC adopted by Ordinance Numbers 1070



(2004), 1189 (2006), 1252 (2007), 1301 (2009), 1325 (2009), ~~and~~ 1491 (2014), and 1615 (2019).

**Section 6. Shoreline code definitions.** Chapter 16.36.070 of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

**Chapter 16.36.070 “D”**

“Detached dwelling” means a dwelling unit that is not attached or physically connected to any other dwelling unit (other than an Accessory Dwelling Unit) or other use, is located on a single lot, and provides permanent provisions for cooking, eating, sanitation, and sleeping.

“Dock” means an overwater structure which abuts the shoreline consisting of piers and/or floats. ~~Docks may be configured to include ells and finger pier.~~

“Duplex” means a single structure containing two ~~unit~~ separate dwelling units, located on a ~~singular~~ single lot providing permanent provisions for cooking, eating, sanitation, and sleeping, where neither unit is an Accessory Dwelling Unit.

“Dry boat storage” means ~~structures or racks located landward of the OHWM that provide dry places and easy access for removing and returning boats, kayaks, Jet Skis, etc., from the water via a lift or hoist.~~

**Section 7. Shoreline code definitions.** Chapter 16.36.080 of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

**Chapter 16.36.080 “E”**

“Ells” means extensions of piers, often in an “L” shape, that provide additional watercraft moorage.

**Section 8. Shoreline code definitions.** Chapter 16.36.090 of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

**Chapter 16.36.090 “F”**

“Finger pier” means a narrow pier section projecting from the dock ramp, typically perpendicular to the dock and located landward of an ell in order to form the nearshore side of a boat slip.

**Section 9. Shoreline code definitions.** Chapter 16.36.100 of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

**Chapter 16.36.100 “G”**

~~“Grade” means average grade level as defined in WAC 173-27-030.~~

**Section 10. Shoreline code definitions.** Chapter 16.36.120 of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

**Chapter 16.36.120 “I”**

~~“Interpretive sign” means a permanent sign without commercial message, located on a publicly accessible site, that provides public educational and interpretive information related to the site on which the sign is located, such as information on natural processes, habitat restoration programs, or cultural history, or that is associated with an adopt-a-stream, adopt-a-park or similar agency-sponsored program.~~

**Section 11. Shoreline code definitions.** Chapter 16.36.150 of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

**Chapter 16.36.150 “L”**

“Low Impact Development” means a set of techniques that mimic natural watershed hydrology by slowing, evaporating/transpiring, and filtering water that allows water to soak into the ground closer to its source. To be considered Low Impact Development, the development shall meet at least one (1) or more of the following objectives:

- Preservation of natural hydrology.
- Reduction of impervious surfaces.
- Treatment of stormwater in numerous small, decentralized structures.
- Use of natural topography for drainage ways and storage areas.
- Preservation of portions of the site in undisturbed, natural conditions.
- Reduction of the use of piped systems. Whenever feasible, site design should use multifunctional open drainage systems such as vegetated swales or filter strips that also help to fulfill vegetation and open space requirements.

- Use of environmentally sensitive site design and green building construction that reduces runoff from structures, such as green roofs.

**Section 12. Shoreline code definitions.** Chapter 16.36.160 of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

**Chapter 16.36.160 “M”**

“Multifamily residence” means a building containing three or more dwelling units providing permanent provisions for cooking, eating, sanitation, sleeping and separate entry within each unit.

**Section 13. Shoreline code definitions.** Chapter 16.36.170 of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

**Chapter 16.36.170 “N”**

“Native vegetation” means ~~the~~ plant species indigenous to the Puget Sound region.

“Nonconforming development” means a shoreline structure or non-structural site modification which was ~~lawfully constructed or established~~ prior to the effective date of the current SMP issued a shoreline conditional use permit or shoreline variance, but no longer conforms to the current SMP’s bulk, dimensional, or performance standards.

“Nonconforming use” means a shoreline use which was ~~lawfully constructed or~~ established prior to the effective date of the SMP, and which no longer conforms to the SMP.

“Nuisance Tree” means a tree that meets either of the following criteria:

1. Is causing obvious physical damage to private or public structures, including but not limited to: sidewalk, curb, road, driveway, parking lot, building foundation, or roof; or
2. Has sustained damage from past maintenance practices. The problems associated with the tree must be such that they cannot be corrected by reasonable practices including but not limited to: pruning of the crown or roots of the tree, bracing, and/or cabling to reconstruct a healthy crown.

~~The problems associated with the tree must be such that they cannot be corrected by reasonable practices including but not limited to: pruning of the crown or roots of the tree, bracing, and/or cabling to reconstruct a healthy crown.~~

**Section 14. Shoreline code definitions.** Chapter 16.36.190 of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

**Chapter 16.36.190 “P”**

“Pervious surface” means surfaces that allow water to pass through at rates similar to pre-developed conditions which include, but are not limited to: pervious asphalt, pervious concrete, pervious gravel, grass or pervious pavers

**Section 15. Shoreline code definitions.** Chapter 16.36.210 of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

**Chapter 16.36.210 “R”**

“Residential uses” means living within single-family residence, detached houses, accessory dwelling units, duplexes and/or multifamily residences.

**Section 16. Shoreline code definitions.** Chapter 16.36.220 of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

**Chapter 16.36.220 “S”**

“Setback” means open space unoccupied and unobstructed from the ground upward measured from an established property line or point of reference (like the OHWM).

“Shoreline administrator” means the city of Bonney Lake ~~community development director~~ Public Services Director or designee charged with the responsibility of administering the SMP.

“Shoreline setback” means the distance measured in feet on a horizontal plane that a structure or improvement must be located landward as measured from the OHWM.

~~“Sign” means a board or other display containing words and/or symbols used to identify or advertise a place of business or to convey information. Excluded from this definition are signs required by law and the flags of national and state governments.~~

“Significant tree” means any healthy tree that is at least ~~six~~ four-and-a-half (4.5) inches in diameter measured at four and one-half feet from the ground (diameter at breast height).

~~“Single-family residence” means a dwelling unit that is not attached or physically connected to any other dwelling unit or other use, located on a singular lot, and provides permanent provisions for cooking, eating, sanitation, and sleeping.~~

“Skirting” means vertical boards along the edge of a pier or dock extending downward.

**Section 17.** Chapter 16.38.010.A of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

**16.38.010 Shorelines jurisdiction and official shoreline map.**

A. The map filed in the city clerk’s office and marked Attachment “C” to Ordinance No. 1491 Ordinance No. xxxxxx and adopted ~~September 23, 2014~~ **DATE OF ADOPTION**, constitutes the shoreline environment designation (SED) map for the city of Bonney Lake. The map referenced herein supersedes all previously adopted maps.

**Section 18.** Chapter 16.40 of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

**16.40.010 Purpose**

The purpose of the Shoreline Residential SED is to accommodate ~~single-family neighborhood-scale residential development uses and appurtenant~~ commonly-associated structures in a manner that protects and restores ecological functions.

**16.40.020 Shoreline Residential Designation Criteria**

The Shoreline Residential SED shall be assigned to shoreline areas that are zoned and planned for ~~low and medium density neighborhood-scale~~ neighborhood-scale residential development, unless these properties meet the designation criteria for the Park or Natural SEDs.

**16.40.030 Development Standards**

- A. All uses, developments, and shoreline modifications allowed in this ~~designation SED~~ pursuant to BLMC 16.50.20 shall comply with the standards established by Chapter 16.52 BLMC through Chapter 16.56 BLMC.
- B. The minimum lot size shall be 8,700 square feet.
- C. The minimum shoreline frontage shall be 60 feet.
- D. Shoreline Setbacks
  - 1. The shoreline setback for all single family residences, duplexes, and accessory dwelling units shall be a minimum of 60 feet from the OHWM and 20 feet from the rear property line; provided that the minimum 60 foot shoreline setback may be reduced as provided in BLMC 16.56.040.

2. Structures that do not contain a habitable living unit ~~Nonresidential uses~~ shall ~~have~~ be setback a minimum of eighty feet from the OHWM, unless subject to one of the incentives in BLMC 16.56.040.
3. Garages and pavements for motorized vehicles (driveways and parking areas) shall be set back at least 70 feet from the OHWM.
4. No development is allowed within the setback areas established in this section, except as provided in BLMC 16.56.100 or 16.56.040.

E. Maximum building height: 35 feet from grade.

F. Maximum impervious surface coverage: 40 percent.

**Section 19.** Chapter 16.42.010 of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

**16.42.010 Purpose.**

The purpose of the Shoreline Multifamily SED is to accommodate multifamily residential development and associated ~~accessory~~ structures in a manner that protects and restores ecological functions.

**Section 20.** Chapter 16.44.020 of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

**16.44.020 Designation Criteria.**

The Park SED shall be assigned to areas that are suitable for water-oriented recreation uses, appropriate and planned to be utilized for as parks, and where shared access to the shoreline is provided. ~~and suitable for water-oriented recreational uses.~~

**Section 21.** Chapter 16.44.030.C of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

**16.44.030.C Minimum Shoreline Setbacks:**

1. Water-dependent uses shall not be required to be setback from the OHWM.
2. Water-enjoyment uses shall be setback a minimum of twenty (20) feet from the OHWM unless allowed pursuant to BLMC 16.56.040.
3. Nonwater-oriented uses shall be setback a minimum setback of eighty (80) feet from the OHWM.

4. Accessory use facilities such as restrooms and parking areas shall be located a minimum of sixty (60) feet from the OHWM. These areas shall be linked to the shoreline by walkways.
5. No development is allowed within the setback areas established in this section; except as provided in BLMC 16.56.100 or BLMC 16.56.040.

**Section 22.** Chapter 16.46.010 of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

**16.46.010 Purpose.**

The purpose of the natural SED is to protect areas that are ecologically characterized by undeveloped, natural conditions, and to restore those shoreline areas that are relatively free of human influence or intact or minimally degraded shoreline functions areas intolerant of human use. The natural shoreline environmental designation also protects shoreline areas possessing natural characteristics with scientific and educational interest. These systems require restrictions on the intensities and types of land uses permitted elsewhere in order to maintain the integrity of the ecological functions and ecosystem-wide processes of the shoreline environment.

**Section 23.** Chapter 16.46.020 of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

**16.46.020 Designation Criteria**

The Natural SED shall be assigned to shoreline areas if any of the following characteristics apply:

- A. The shoreline is undeveloped and ecologically intact and, therefore, currently performing an important, irreplaceable function or supporting an 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 area is unable to support new development or uses without significant adverse impacts to ecological functions or risks to human safety.

**Section 24. Property Owner Authorization Required.** Chapter 16.48.040 is added to Title 16 of the Bonney Lake Municipal Code and shall be entitled “Property Owner Authorization Required” to read as follows:

**16.48.040 Property Owner Authorization Required**

Any property owner that proposes to undertake development, modifications, or alterations on any areas of the Aquatic SED belonging to Cascade Water Alliance (CWA) shall

provide written verification from CWA authorizing the property owner to undertake such actions, modifications, and/or development(s) on any properties owned by CWA in the form of a license agreement. A copy of the license agreement shall be a required element of any applications filed with the City.

**Section 25.** Chapter 16.50.030 of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

**16.50.030 Prohibited Shoreline Uses and Modifications**

The following uses and modifications are prohibited in all SEDs:

- A. Agriculture
- B. Aquaculture
- C. Forest Practices
- D. Mining
- E. Commercial Uses
- F. Industrial Uses
- G. Water System Treatment Plants
- H. Sewage Treatment Plants
- I. Electrical Generation Plants
- J. Solid Waste Disposal Facilities
- K. Road Towers
- L. Live-aboard vessels
- M. ~~Boat Houses~~ Enclosed overwater storage buildings
- N. Marinas
- O. Permanent Launching Rails
- ~~P.~~ O. In-Stream Structures
- ~~Q.~~ P. Parking as a principle use

**Section 26.** Chapter 16.52.010.A of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:



### **16.52.010 General**

The following general requirements shall apply to all shoreline uses in all SEDs:

- A. In addition to the requirement of this chapter, all uses and developments shall also comply with the regulations established Chapter 16.54 BLMC – Shoreline Modifications.

**Section 27.** Chapter 16.52.020 of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

### **16.52.020 Residential Development**

- A. Single family residences and associated appurtenances are not water-dependent but are a preferred use of the shorelines when such development is planned and carried out in a manner that protects shoreline functions and processes consistent with the no net loss provisions of the Shoreline Code.
- B. Other shoreline uses and modifications which are considered accessoryies or appurtenances to residential development that are identified as separate ~~a~~ shoreline uses or modifications in the SMP (such as piers and docks; bulkheads; utilities; fill; and clearing and grading) are subject to the regulations established Chapters 16.54 and 16.56 BLMC in addition to any special conditions relating to residential development established in this section.
- C. Residential development is prohibited in the Park, Natural, and Aquatic SEDs.
- D. Multifamily residential development is prohibited in the Shoreline Residential SED.
- E. Residential development is prohibited over water, including floating homes,
- F. Residential development is prohibited within the 100-year flood plain.
- G. Residential development shall retain and protect the natural vegetation of the shoreline area, or restore and enhance natural vegetation according to the vegetation conservation standards in BLMC 16.56.060.
- H. New ~~residential~~ lots may only be permitted in the Shoreline Residential and Shoreline Multifamily SEDs when the following standards are met:
  - 1. The lots created shall not require hard or soft structural shoreline stabilization measures or flood hazard reduction measures in order for reasonable development to occur, as documented in a geotechnical report.

2. ~~The residence~~ All residential structures shall be built in conformance with all applicable bulk, dimensional, and performance standards established by the Shoreline Code.
  3. Adequate water, sewer, road access, and utilities shall be provided.
  4. The intensity of development shall be consistent with the City's comprehensive plan.
  5. The layout, configuration, and development of the lots shall be done in a manner that assures no net loss of ecological functions.
- I. Land divisions of five (5) or more waterfront lots and multifamily developments of five (5) or more units shall dedicate, improve, and provide maintenance provisions for a pedestrian easement that provides area sufficient to ensure usable access to and along the shoreline for all residents of the development and the general public as required in BLMC 16.56.120.
  - J. Land divisions shall establish a prohibition of single owner piers and docks on the face of the plat. An area for joint use moorage may be approved if it meets all requirements in BLMC 16.54.030.

**Section 28.** Chapter 16.52.070 of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

**16.52.070 Utilities**

- A. The following utility uses and developments are prohibited in the Shoreline Residential, Shoreline Multifamily, Park, Natural, and Aquatic SEDs:
  1. Non-water oriented utility production and processing facilities which include:
    - a. Water system treatment plants;
    - b. Sewage treatment plants; and
    - c. Electrical energy generating plants and substations.
  2. Radio towers.
  3. Solid waste disposal sites and facilities.
- B. Personal wireless services facilities are prohibited in the Natural and Aquatic SEDs.

- C. All utility facilities shall be designed and located to minimize harm to shoreline ecological functions, preserve the natural landscape, and minimize conflicts with present and planned shoreline uses.
- D. Utility transmission facilities and lines shall comply with the following standards:
1. Placed underground consistent with the standards of the serving utility.
  2. Demonstrate the infeasibility of existing routes or alternative locations outside of the shoreline jurisdiction.
  3. Cross areas of the shoreline jurisdiction by the shortest, most direct route which causes the least negative impact ~~harm to the shoreline~~.
  4. Be located and designated so as to avoid or minimize the use of any structural or artificial shoreline stabilization, flood protection works, or filling of aquatic areas. Boring, rather than open trenching is the preferred method of utility water crossing.
  5. Be located in existing rights-of-way and utility easements whenever possible.
- E. Utility developments shall be located and designated so as to avoid the use of any structural or artificial shore modification works whenever feasible.
- F. Utility facilities requiring withdrawal or discharge to water from streams or lakes shall be designed, operated, and maintained to preserve the shoreline environment and result in no net loss of ecological functions.
- G. Utilities that are accessory and incidental to a proposed shoreline use shall be reviewed under the provisions of the use to which they are accessory.
- H. Utility development shall, through coordination with local government agencies, provide for compatible, multiple uses of sites and rights-of-way.
- I. Utility development shall include public access to the shoreline, trail systems, and other forms of recreation, in all situations where providing such uses will not unduly interfere with utility operations, endanger the public health, safety, and welfare, or create a significant and disproportionate liability for the owner.
- J. Clearing of vegetation for the installation or maintenance of utilities shall be kept to a minimum and upon project completion any disturbed areas shall be restored to their pre-project condition.
- K. Personal wireless facilities shall use concealment strategies to minimize the appearance of antennas and other equipment from the water, public pedestrian walkways, and public use areas.

**Section 29.** Chapter 16.54.010.A of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

**16.54.010 General**

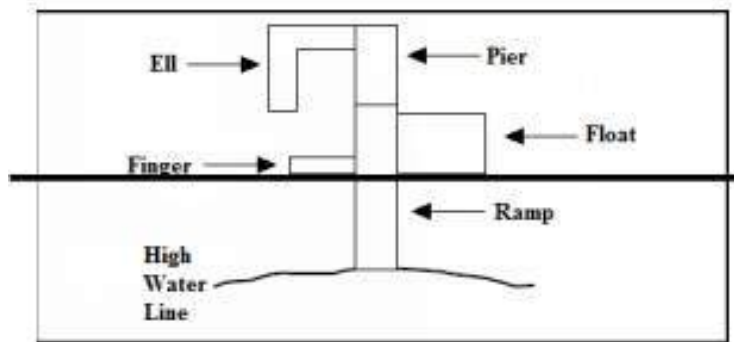
The following general requirements shall apply to all shoreline modifications:

- A. In addition to the requirement of this chapter, all use(s) and modifications within the shoreline jurisdiction shall also comply with the regulations established Chapter 16.52 BLMC, ~~Shoreline Uses and Developments.~~ Shoreline Use and Modification Matrix.

**Section 30.** Chapter 16.54.030 of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

**16.54.030 Piers and Docks**

- A. Only one (1) pier or dock for moorage purposes shall be allowed per ~~single family residence detached dwelling unit~~ consisting of the elements identified in Figure 1 upon demonstrating compliance with the Shoreline Code. No additional pier, dock, or moorage space is allowed related to an Accessory Dwelling Unit.



**Figure 1:** *Diagram of Typical Pier/Dock Elements*

- B. Renting, leasing or selling moorage space associated with a residential use single family, duplex, or multifamily residence dock or pier is prohibited.
- C. In the following circumstances, a joint use pier or dock shall be required:
  - 1. On lots subdivided to create one (1) or more additional lots with waterfront access rights.
  - 2. New residential development of two (2) or more dwelling units located on the same lot with waterfront access rights.
  - 3. The requirement to provide and maintain a joint use dock in perpetuity shall be provided through either an easement recorded with the Pierce County Auditor's

Office or on the face of the plat or short plat recorded with the Pierce County Auditor's Office. The legal description of the easement will be provide by the applicant on a form approved by the Shoreline Administrator.

- D. A mooring buoy may be used to provide moorage space in lieu of a pier or dock. No more than one (1) mooring buoy is permitted per ~~single family residential~~ detached dwelling unit.
- E. Piers and docks shall be designed, used, and located so as not to constitute a hazard to navigation or other public uses of the water.
- F. Piers and docks shall be constructed and maintained in a safe and sound condition. Abandoned, obsolete, or unsafe structures shall be removed or repaired promptly by the owner.
- G. Piers or docks shall comply with the following dimensional standards:

Description	Measurement
<b>Area</b>	
Single Property Owner	360 Square Feet
Shared by two property owners	580 Square Feet
Shared by 4 or more property owners or dwelling units	1,000 Square Feet
<b>Maximum Length</b>	
Fingers and Floats	20 Feet
Ells	25 Feet
<b>Maximum Width</b>	
Portion of the walkway within 30 feet of the OHWM	4 Feet
Portion of the walkway greater than 30 feet from the OHWM	6 Feet
Ell and float	6 Feet
Finger	3 Feet
Ramp connecting a pier to a float	3 Feet
<b>Height</b>	
Minimum height above the OHWM measured for the OHWM to the bottom of the stringers on the dock/pier	1 ½ Feet
Maximum height above the OHWM measured from the OHWM to the top of the decking	5 Feet
<b>Location of Specific Structures</b>	
<del>Minimum distance of ells, fingers, floats, buoys, moorage buoys from shore as measured waterward of OHWM</del>	30 Feet
Minimum distance from docks/piers located on adjacent properties	20 Feet
Minimum distance between piers	12 Feet

- H. The maximum intrusion of the elements of a ~~the pier and/or dock identified in 16.54.030.A~~ shall be only as long as needed to obtain a water depth of nine (9) feet as measured from the elevation of the OHWM; provided that the maximum length of the pier or deck shall not exceed fifty (50) feet from the OHWM or fifteen percent (15%) of the fetch which every is less. The length of the deck shall be measure as illustrated in Figure 2.

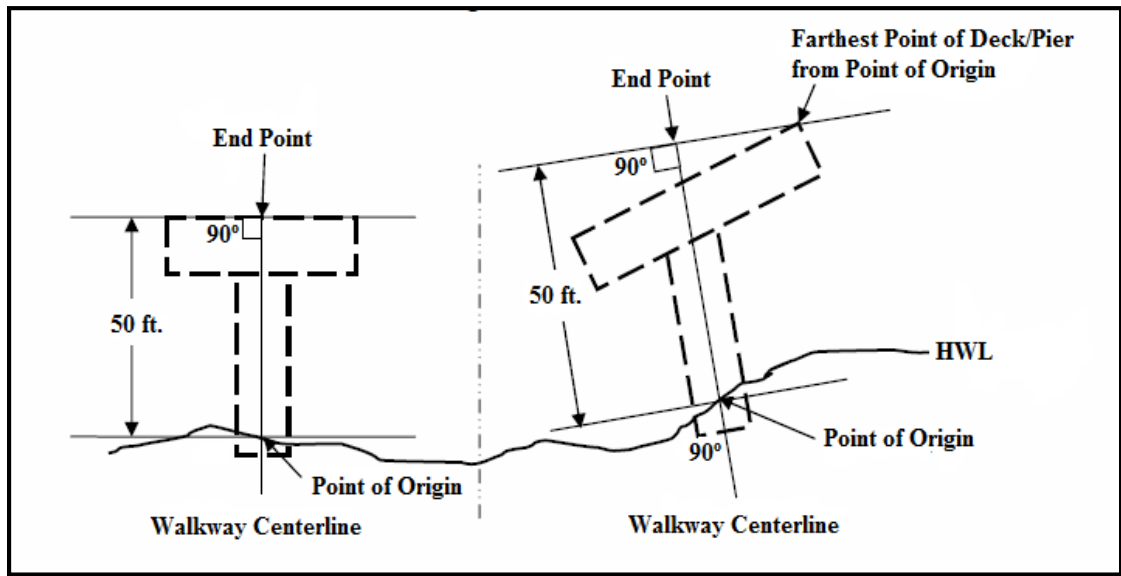


Figure 2: Maximum Length of Overwater Structures

- I. All piers and docks shall comply with all of the following design standards:
1. No part or portion of a pier or dock, nor any accessory to a pier or dock such as a boat lift, shall extend beyond the limit of the shoreline frontage of a lot as determined using the methodology specified in BLMC 16.56.090. The width of a pier and/or dock may not exceed 25% of the length of a property's shoreline frontage or 10 feet, whichever is less.
  2. ~~1.~~ All utility and service lines located waterward of the OHWM must be located below the pier or dock deck and above the waterline.
  3. ~~2.~~ The street address of the subject property must be displayed. The address must be oriented to the lake with letters and numbers at least four (4) inches high.
  4. ~~3.~~ Piers, docks, floats, and buoys shall be marked with reflectors, or otherwise identified to prevent unnecessarily hazardous conditions during the day or night. Exterior finish of all structures shall be generally non-reflective.
  5. ~~4.~~ Piles, floats and other overwater structures that are in direct contact with water or over water shall comply with the following standards

- a. Piles treated or coated with herbicides, fungicides, paint, pentachlorophenol arsenate compounds or creosote are prohibited.
  - b. Piles shall be either steel, PVC, or untreated wood.
- J. The following structures and improvements are prohibited:
- 1. Covered moorage, overwater boathouses, or other walled covered moorage. Covered boat lifts in conformance with other provisions in this section may be allowed. Existing enclosed moorage structures shall be considered nonconforming uses subject to the provisions of BLMC 16.56.150.
  - 2. Skirting on any structure.
  - 3. Over-water residential use, including houseboats, live-aboards, or other single- or multi-family dwelling units.
  - 4. ~~Launching rails.~~
  - 4. 5. New recreational floats and swimming platforms for private properties that do not meet the provisions related to temporary recreational equipment in this section.
- K. Temporary ~~inflatable~~ recreational equipment (e.g., floating trampolines or floating swimming platforms) may be permitted from May 1 through September 30. Temporary recreational equipment shall not impede navigation routes on Lake Tapps. No temporary recreational equipment shall be allowed to rest on the shorelands during times of water 'drawdown.'
- L. Repair and replacement of existing docks and/or piers that are accessory to a residential use shall comply with the following standards:
- 1. Proposals involving replacement of the entire private dock or 50 percent or more of the pier-support piles shall conform to the provisions of the SMP; provided that the area of the new dock may be equal to area of the existing dock.
  - 2. Repair proposals which replace less than 50 percent of the existing pier-support piles must comply with the following:
    - a. If the width of the dock is wider than 6 feet in the area where the piles will be replaced, the decking that would be removed in order to replace the piles shall be replaced with grated decking as described in BLMC 16.54.040.I.4.
    - b. Replacement piles must comply with the requirements of BLMC 16.54.030.I.6.

3. Other repairs to existing legally established docks and piers where the nature of the repair is not described in BLMC 16.54.030.L.1 through 16.54.030.L.3 shall be considered minor repairs and may be permitted upon demonstrating compliance with all other applicable codes and regulations.
4. If a single-family residence has two or more existing docks and one requires replacement or repair as described in regulations BLMC 16.54.030.L.1 through BLMC 16.54.030.L.3 then one must be removed as a condition of the repair. The remaining dock may be improved to the ~~same dimensions as either existing dock~~ maximum allowed dimensions in BLMC 16.54.030.G and the other requirements of this section.
5. If the cumulative repair proposed over a three-year period exceeds thresholds established in BLMC 16.54.030.L.1, then deck or pier shall be brought into conformance the SMP; provided that the area of the new deck may be equal to area of the existing dock.

M. New additions to existing docks or piers may be permitted under the following circumstances:

1. When additional length is required to reach 6 feet of water depth as measured from the elevation at the OHWM.
2. When a single-use dock is converted to a joint-use pier.
3. New additions to existing docks shall not exceed any of the dimensionals limits allowed for new docks.
4. When the addition ~~of an ell or finger~~ will increase safety and usability.
5. When the total area of the dock, piers, and floats waterward of the OWHM is reduced.

N. Boatlifts and boatlift canopies may be permitted as an accessory to a dock or pier associated serving a single family residence or duplex provided that:

1. Residential docks may have up to two ~~jet-ski~~ accessory personal watercraft lifts per ~~single family residential~~ lot.
2. Residential docks may have one accessory boatlift per ~~single family residential~~ lot.
3. All lifts are placed as far waterward as feasible and safe, within the limits of the dimensional standards for docks in this chapter.



4. The top of the canopy must not extend more than 8 and one-half feet above the adjacent pier.

~~5. Platform lifts shall be fully grated.~~

O. Temporary moorages shall be permitted for vessels used in the construction of shoreline facilities. The design and construction of temporary moorages shall be such that upon termination of the project, the aquatic habitat in the affected area can be returned to its original (pre-construction) condition within one (1) year at no cost to the environment or the public.

**Section 31.** Chapter 16.54.050.B of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

**16.54.050 Clearing and grading.**

B. All clearing and grading activities shall comply with the following:

1. Materials such as dirt and rocks used in construction must be stored a minimum of 25 feet landward of the OHWM and shall incorporate best management practice measures to prevent erosion;
2. Any large quantities of vegetation removal and excess earthen materials shall be collected and disposed of in a manner to prevent negative impacts to the shoreline environment;
3. No vegetation or other enhancements installed as part of a restoration plan or mitigation shall be removed, unless approved by the city as part of a modified restoration plan or mitigation;
4. Surfaces cleared of vegetation shall be limited to the minimum necessary for the intended development, and shall be completely and effectively re-vegetated within six months of the clearing activity.

**Section 32.** Chapter 16.56.030.A.1 of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

**16.56.030 Archaeological and historic resources.**

A. Development in areas documented by the Washington State Department of Archaeology and Historic Preservation or identified by affected tribes to contain archaeological resources shall comply with the following:

1. A site inspection and a ~~draft~~ written report prepared by a qualified professional archaeologist. Copies of the ~~draft~~ report shall be provided by the applicant to the

city; upon receipt of the ~~draft~~ report the city shall forward copies to affected tribe(s) and the Washington State Department of Archaeology and Historic Preservation for review and comment.

**Section 33.** Chapter 16.56.040 of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

### **16.56.040 Shoreline Vegetation Incentives**

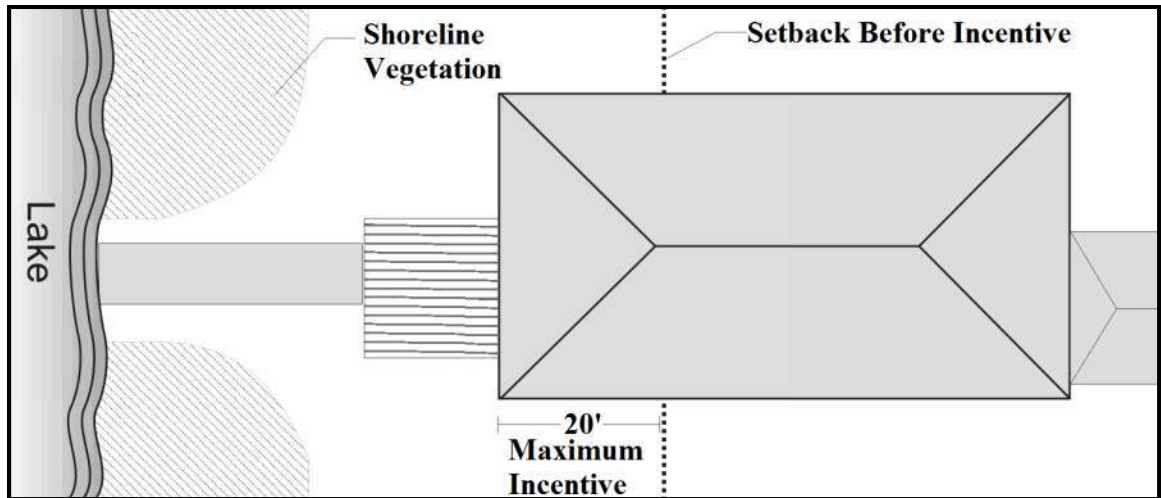
The City's "Final Shoreline Restoration Plan Component of the Shoreline Master Program for the City of Bonney Lake Shorelines: Lake Tapps and Fennel Creek" concludes that one of the primary opportunities that the City has to improve the water quality in Lake Tapps and improve shoreline ecological conditions in the City generally is to incentivize planting of native vegetation by private property owners in the vegetation conservation areas located in the twenty feet upland from the OHWM adjacent to their properties. This being the case, this section is designed to offer incentives to property owners living in the shoreline jurisdiction in exchange for planting and continued maintenance of native vegetation that, at maturity, will meet the standards found in BLMC 16.56.060.

A. The following requirements shall apply to all of the incentives in this section:

1. The shoreline vegetation provided for one incentive cannot be applied to another incentive.
2. Shoreline vegetation that already exist within the Shoreline Vegetation Conservation Area or is required to be planted pursuant to BLMC 16.56.060.B shall not apply towards the incentives established in this section.
3. The vegetation shall be native vegetation planted adjacent to the shoreline.
4. The applicant shall submit a Vegetation Planting Plan consistent with the requirements BLMC 16.56.050.
5. The shoreline vegetation incentive is only available for properties located in the Shoreline Residential Designation.
6. Any portion of the development proposal and/or planting that will involve property owned by Cascade Water Alliance or any other property owner must receive explicit written authorization, a copy of which shall be submitted to the City at the time of the project proponent's submittal of materials for review.

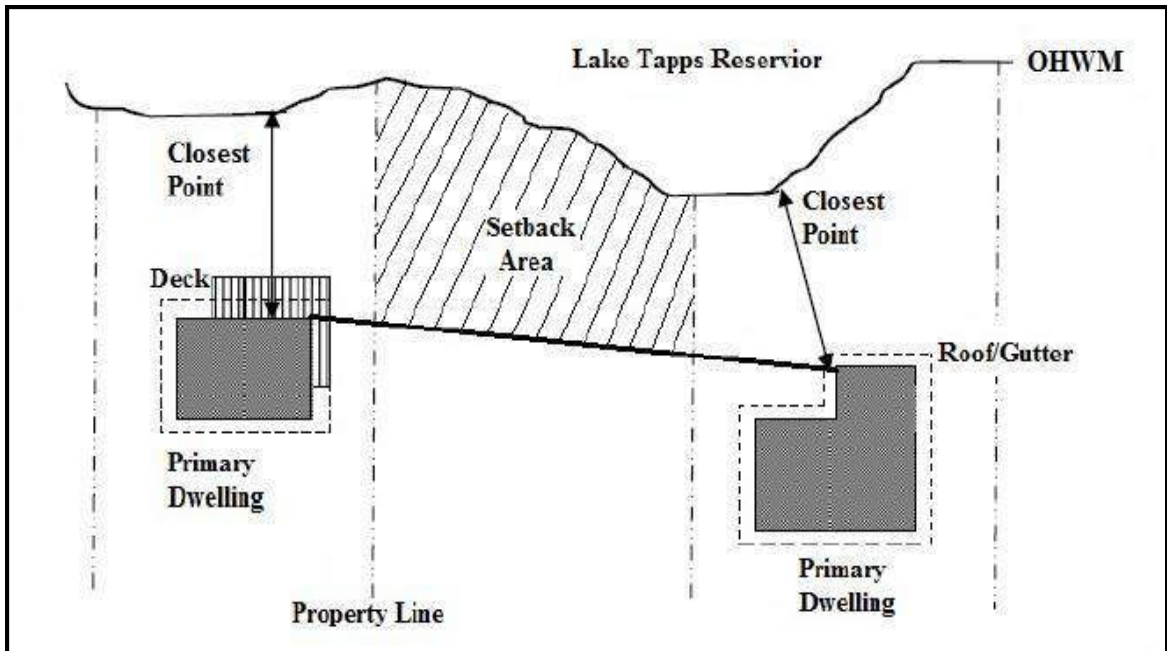
B. The required minimum 60 foot shoreline setback may be reduced by 5 feet for every 300 square feet of shoreline vegetation installed along the shoreline provided:

1. The maximum amount of shoreline setback reduction is 20 feet; provided that the primary structure does not move closer to the water than established by the string-line setback determined by BLMC 16.56.040.B.3.



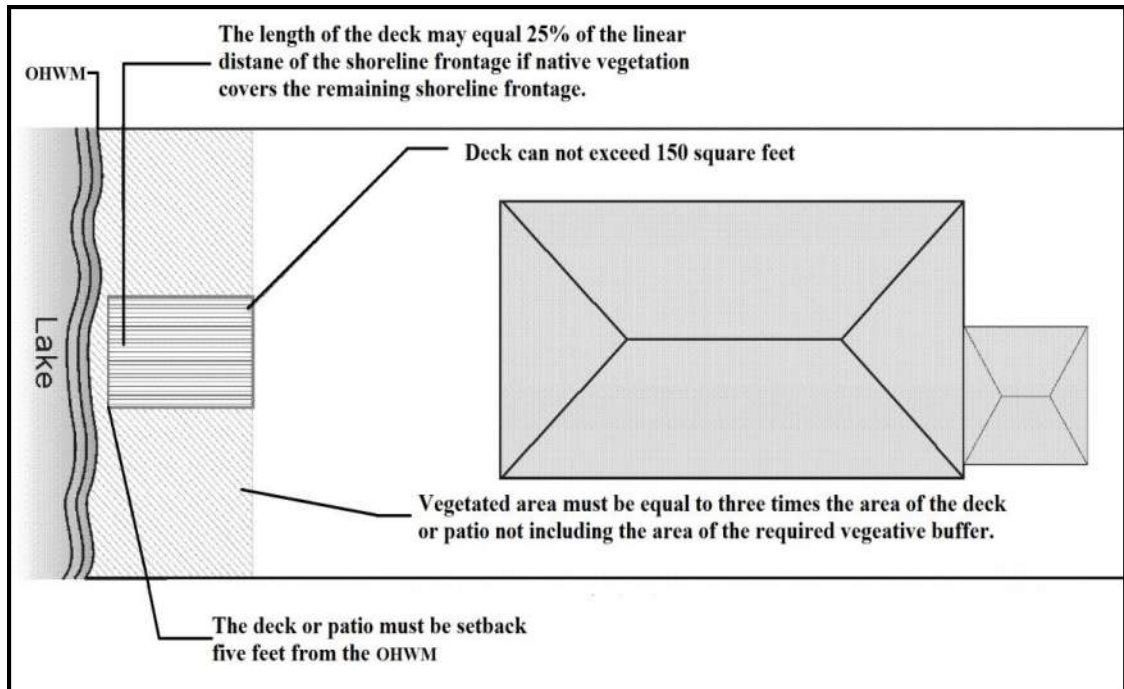
*Figure 3: Shoreline Setback bonus for shoreline vegetation.*

2. The primary structure maintains a minimum setback of 20 feet from the rear property line.
3. The primary structure does not move closer to the water than established by the string-line as follows:
  - a. A string-line is established by drawing a straight line between the two points where the residential use on each of the adjoining shoreline lots each projects the greatest towards and is the closest to the OHWM.
  - b. If the string-line setback is greater than 40 feet from the OHWM, the maximum reduction of the shoreline setback is the distance between the string-line and the OWHM as illustrated on Figure 4.
  - c. A string-line setback is not required if one or both of the adjoining shoreline lots do not contain a residential use.



**Figure 4:** Example of shoreline setbacks for middle home based on average adjacent shoreline setbacks.

- C. If there is no bulkhead, or if a bulkhead is removed, a small waterfront deck or patio can be placed along the shoreline provided:
1. The width of the waterfront deck or patio as measured parallel to the OHWM shall be equal to or less than 25 percent of the shoreline frontage and native vegetation covers a minimum of 75 percent of the shoreline frontage.
  2. The deck shall be located within the same area allowed for the pathway and view corridor to the water provided in BLMC 16.56.100.B.3.
  3. For every 1 square foot of waterfront deck or patio there shall be 3 square feet of native vegetation provided adjacent to the OHWM.
  4. The total area of the waterfront deck or patio along the shoreline shall not exceed 150 feet square feet.
  5. The deck or patio is set back 5 feet from the OHWM.
  6. The deck or patio is no more than 2 feet above grade and is not covered.
  7. There are no permanent structures above the level of the deck within 20 feet of the rear property line.



*Figure 5: Waterfront deck bonus for lots*

- D. The maximum allowed area for docks and piers allowed single property owner and shared by two property owners established by 16.54.030.F may be increased by 30 feet for every 300 square feet of shoreline vegetation provided along the shoreline. The maximum amount of additional area that can be obtain from this incentive is 120 square feet.
- E. Property owners who own property that is separated from the OHWM by upland areas owned by CWA may include those upland areas of CWA's property directly between their property as part of their lot area for purposes of calculating the allowed impervious surface on their lot, subject to all of the following criteria:
1. The property owner seeking to use CWA's property area to calculate allowed impervious surfaces on the property will enter into a license agreement with CWA.
  2. The property owner seeking to use this incentive shall provide a vegetation planting plan that meets the requirements of BLMC 16.56.050, and agrees to maintain the vegetation conservation area in compliance with BLMC 16.56.060.
  3. The allowed impervious surfaces will only be installed on the property owner's private property. None of the impervious surfaces installed will be located on CWA's property.
  4. The impervious surfaces allowed on any property utilizing this incentive shall not exceed the total allowed in Title 18 based on the zoning designation of the property.
  5. All other applicable setback and bulk regulations shall apply to the site subject to this incentive.

F. A property owner may be allowed to install a boathouse upland from the OHWM without a rear yard setback requirement, and without a shoreline setback requirement if all of the following standards are met:

1. The property owner obtains the approval of Cascade Water Alliance in the form of a valid license agreement for any structural development or vegetation planting and vegetation maintenance that involves property owned by CWA.
2. The City approves a vegetation planting plan for the entire vegetation conservation area within the lot frontage that meets all of the standards of BLMC 16.56.050 and BLMC 16.56.060.
3. The square footage of the structure is no greater than 150 square feet. The entire structure shall be located within the walkway corridor described in BLMC 16.56.100.B.3 and illustrated in Figure 7.
4. The structure is no more than ten feet in height, as measured according to the definitions of WAC 173-27-030.
5. The boathouse shall not be used to justify the need for shoreline armoring.
6. No rooftop deck or use shall be allowed or established on top of such a structure.
7. The boathouse shall not include habitable space, plumbing, and construction of a boathouse shall require a building permit regardless of size.

**Section 34.** Chapter 16.56.050 of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

#### **16.56.050 Vegetation Planting Plan Requirements**

Shoreline vegetation planting plans shall meet the following minimum requirements:

- A. The plan shall be prepared by a Qualified Professional.
- B. The plan shall be recorded with the Pierce County Assessor's Office as a covenant against the property after approval by the Shoreline Administrator, and shall obligate the property owner to maintain the vegetation specified in the plan in perpetuity. A copy of the recorded covenant shall be provided to the City.
- C. The native vegetation shall consist of a mixture of trees, shrubs and groundcover and designed to improve habitat functions. All vegetation planted as a part of a shoreline vegetation planting plan shall be planted in the ground either on the property where the development will take place, or on land owned by CWA that lies between the OHWM, the property's rear property line, and the side lot lines extended, as described in BLMC

16.56.090.A.1, subject to a valid CWA license agreement. The following general planting regulations shall apply:

1. Trees. A minimum of one native tree per 300 square feet of required vegetated area shall be provided or preserved. A minimum of thirty percent (30%) of the required trees shall be native coniferous trees.
    - a. Deciduous trees shall be a minimum of two-and-one-half-inch caliper as measured per American Standard for Nursery Stock (ANSI Z60.1-2004).
    - b. Coniferous trees shall be at least 6 feet high at the time of planting.
  2. Shrubs. A minimum of one shrub per 20 square feet of landscape area shall be provided. The minimum size of the shrub at the time of planting shall be at least 2 feet in height, with the plant covering the dimensions of the container.
  3. Vegetative Groundcover. Living groundcover plants of a minimum one-gallon size shall be planted in the landscaped area sufficient to cover the area within three years of planting. Grassy lawns will not be considered as acceptable vegetative groundcover.
  4. Vegetation shall be fully established within three years. Areas which fail to adequately reestablish vegetation shall be replanted with approved plants until the plantings are viable.
  5. The plan shall include limitations on the use of fertilizer, herbicides and pesticides as needed to protect water quality.
- D. A four year monitoring and maintenance program prepared by a qualified professional including, but not limited to, the following:
1. An outline of the schedule for site monitoring. Annual monitoring reports from an applicant's qualified professional provided to the City shall be included as a part of such a schedule;
  2. Performance standards, including, but not limited to, 100 percent survival of newly planted vegetation within two years of planting, and 80 percent for years three or more
  3. Contingency plans identifying courses of action and any corrective measures to be taken if monitoring indicates performance standards have not been met;
  4. The period of time necessary to establish performance standards have been met; not to be less than four years; and

- E. The City may require a financial security pursuant as a guarantee that the enhancements, maintenance and monitoring are completed to the satisfaction of the City.

**Section 35.** Chapter 16.56.060 of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

**16.56.060 Vegetation Conservation and Maintenance**

- A. The area twenty (20) feet landward of the OHWM shall be considered vegetation conservation area. Existing native shoreline vegetation shall be preserved within the vegetation conservation area consistent with safe construction practices, and other provisions of this section. Native trees and shrubs shall be preserved to maintain and provide shoreline ecological functions.
- B. Vegetation conservation areas shall be fully replanted with native vegetation pursuant to an approved Vegetation Planting Plan consistent with the requirements of BLMC 16.56.050 and this section as part of the following development proposal:
  - 1. Construction of a new single family residence, duplex, multi-family building either on a vacant lot or a lot on which single family residence, trailer, manufactured home, duplex, or a multi-family building was previous located.
  - 2. An increase of at least twenty percent (25%) in gross floor area of any structure located in shorelines jurisdiction.
  - 3. An alteration of a single family residence, duplex, multi-family building in shorelines jurisdiction, the cost of which exceeds sixty percent (60%) of the assessed value of the residential structures on the subject property as identified on the Pierce County Auditor website.
  - 4. As a required condition for any property owner that chooses to receive approval for a development project through use of the incentives that are specified in BLMC 16.56.040.E and BLMC 16.56.040.F.
- C. Twenty-five percent (25%) of the required vegetated conservation may be cleared or thinned for view maintenance and waterfront access as described in BLMC 16.56.100.B.3; provided that seventy-five percent (75%) of the area remains vegetated. Invasive species may be removed, vegetation trimmed, and trees “limbed up” from the ground to provide views.
- D. In the instance where there is an intervening property between the OHWM and an upland property and the portion of the intervening property abutting the upland property has an average depth of less than 20 feet, shoreline vegetation shall be provided within the shoreline setback portion of the upland property pursuant to this section, unless:



1. The required shoreline vegetation already exists on the intervening lot; or
  2. The intervening property owner agrees to allow the upland property owner to install the shoreline vegetation on their property.
- E. Snags and living trees over four and one-half inches DBH shall not be removed within the vegetated portion of the vegetative conservation area except under the following instances:
1. A hazard or nuisance tree may be removed consistent with the following standards:
    - a. ~~If the nuisance or hazard condition is not obvious to the city,~~ A qualified arborist retained by the property owner shall determine if the tree meets the definition of a Hazard or Nuisance Tree provided in BLMC16.36.110 and BLMC 16.36.170.
    - b. A “snag” or wildlife tree shall be created from the hazard tree. If a qualified arborist determines that the tree cannot or should not be used for as “snag” or wildlife tree, the tree may be removed from the vegetation conservation area and replacements planted within the vegetative conservation area using native tree species at a 3:1 replacement ratio. If a snag is created, replacement will be at a 1:1 ratio.
  2. The removal is part of an approved development that includes mitigation for impacts to ecological functions
- F. For trees outside of the vegetation conservation areas of a lot, a tree removal request in the form of a shoreline exemption application shall be submitted in writing to the City prior to the removal of any tree. Any tree greater than four and one-half dbh removed from a property will be replaced elsewhere within the shoreline jurisdiction at a ratio of 1:1 with like-for-like species selection wherever feasible. The request shall include the location, number, type and size of tree(s) being removed and the proposed replacement tree(s) and planting plan. The City shall inspect the tree replacement once installation is complete.
- G. Nondestructive thinning of lateral branches to enhance views or trimming, shaping, thinning or pruning shall comply with National Arborist Association pruning standards. No more than 25% of the limbs of any single tree may be removed and no more than 20% of the canopy cover in any single stand of trees may be removed for view preservation.
- H. Aquatic weed control shall occur in compliance all other applicable laws and standards in addition to the following:

1. The control of aquatic weeds by hand pulling, mechanical harvesting, or placement of aqua screens, if proposed to maintain existing water depth for navigation, is the preferred method.
2. When large quantities of plant material are generated by control measures, they shall be collected and disposed of in an appropriate, identified upland location.
3. Use of herbicides to control aquatic weeds shall be prohibited except for those chemicals specifically approved by the Department of Ecology for use in aquatic situations. The Shoreline Administrator must be notified of all herbicide usage in aquatic areas and supplied with proof of required approvals from the Department of Ecology.
4. All herbicides shall be applied by a licensed professional.

**Section 36.** Chapter 16.56.070 of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

**16.56.070 Water Quality and Quantity**

- A. All shoreline development shall comply with the applicable requirements of the Pierce County 2008-2015 Stormwater Management and Site Development Manual and all applicable City stormwater regulations established by Chapter 15.13 BLMC – Stormwater Management.
- B. Where feasible, shoreline development must implement low impact development techniques pursuant to the standards contained in the Pierce County 2008-2015 Stormwater Management and Site Development Manual – Volume VI.
- C. Residential development shall utilize the BMPs for Single Family Residence in the Pierce County 2008-2015 Stormwater Management and Site Development Manual – Volume IV Chapter 3.
- D. The direct runoff of chemical-laden waters into adjacent water bodies is prohibited.

**Section 37.** Chapter 16.56.080 of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

**16.56.080 Methodology for Calculating Impervious Area**

The percentage of impervious surface shall be calculated according to the following formula:

- A. Percentage of impervious surface = (total footprint area of impervious surfaces, including all pavement, compacted gravel areas, and buildings) / (total land area of the property) multiplied by 100.

- B. In calculating impervious surface, pavers on a sand bed may be counted as fifty percent impervious and wood decks with gaps between deck boards may be counted as permeable if over bare soil or loose gravel (such as pea gravel). Pervious concrete and asphalt may be counted as per manufacturer's specifications, as proposed and verified by a qualified civil engineer. To calculate the net impervious surface of such an area, multiply the area of the pavement by the percentage of imperviousness.
- C. The City may determine the percentage of imperviousness for pavements that are not specified here.
- D. As an alternative to the above quantitative standards, the applicant may submit a stormwater retention plan, prepared by a licensed civil engineer or hydrogeologist. The plan may incorporate alternate means of addressing stormwater runoff impacts such as Low Impact Development techniques, rain gardens, etc. In order to be approved, the plan must conclusively demonstrate that its implementation will result in a higher level of positive benefit in regards to the ecological functions at the site when compared to following ~~than~~ the standards in subsections A through C of this section, and/or will result in less negative ecological impacts than following the proscriptive standards of subsections A through C.

**Section 38.** Chapter 16.56.100.A.6 of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

**16.56.100 Permitted Intrusions into Shoreline Setback**

- A. The following developments and modifications may be located in the portion of the required shoreline setback that is outside of the vegetation conservation area:
  - 6. Appurtenances, dry boat storage and other similar accessory structures subject to the following:
    - a. Only one structure that is 200 square feet or less is permitted within the shoreline setback.
    - b. The structure shall maintain a minimum 20-foot setback from the rear property line unless exempt from the rear setback requirement, subject to the approval of the incentive in BLMC 16.56.040.F. Such a structure, subject to compliance with the provisions of BLMC 16.56.040.F, may also be located within part of the vegetation conservation area.
    - ~~c. Only water dependent aspects of dry boat storage, such as docks, boat hoists and boat lifts, may be permitted within vegetation conservation area.~~
    - ~~d. Boat hoist, boat lifts, and docks associated with dry boat storage shall be consistent with applicable requirements of BLMC 16.54.030.~~

**Section 39.** Chapter 16.56.150 of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

**16.56.150 Nonconforming and pre-existing uses, structures, and developments.**

The City's baseline ecological condition, by which the standard of 'no-net loss' of ecological functions is determined, is the effective date of the SMP update on October 16,2014. Any use, development, and/or structure that can be demonstrated to have been in existence at that time is considered legally conforming for the purposes of the SMP and this section, subject to the standards below:

A. Structures:

1. Residential structures and appurtenant structures that were a part of the City's baseline ecological condition and used for a conforming use, but which do not meet current standards for shoreline setbacks, height, or density shall be considered legally conforming structures. Such structures may be altered, maintained, and/or repaired so long as the degree of nonconformity is in no way increased. These same standards shall be applied to non-structural residential developments as well.
2. Detached dwelling units, site improvements, and residential appurtenances that are legally conforming and are located landward of the OHWM that do not meet the shoreline setback requirement may be enlarged or expanded; provided that the new construction complies with all applicable bulk and dimensional standards of Title 18, the applicable provisions of this SMP, and does not result in an expansion of the encroachment into the shoreline setback, except as provided for in BLMC 16.56.040 and BLMC 16.56.100.
3. A nonconforming structure or non-structural development which is moved any distance must be brought into conformance with the SMP and the SMA.
4. A structure for which a variance has been issued shall be considered a legal nonconforming structure and the requirements of this section shall apply as they apply to preexisting nonconformities.

B. Uses:

1. Nonresidential uses that were lawfully established and are nonconforming with regard to the use regulations of the SMP may continue as legal nonconforming uses, but shall not be enlarged or expanded.
2. A use which is listed as a conditional use but which existed prior to adoption of the mater program or any relevant amendment and for which a Conditional Use Permit has not been obtained shall be considered a nonconforming use.

3. All nonconforming uses discontinued for twelve consecutive months or for twelve months during any two-year period, shall forfeit all nonconforming use rights and any subsequent uses or structures shall be conforming.

C. Nonconforming uses and structures not addressed in this section shall comply with the requirements of WAC 173-27-080.

~~A. Residential structures and appurtenant structures that were legally established and used for a conforming use but do not meet standards for shoreline setbacks, height or density shall be considered conforming uses.~~

~~B. Single family residences that were legally established and are located landward of the OHWM that do not meet the shoreline setback may be enlarged or expanded; provided, that the new construction complies with applicable bulk and dimensional standards of BLMC Title 18 and the applicable provisions of the shoreline code, and does not expand further into the shoreline setback except as provided for in BLMC 16.56.040 and 16.56.100.~~

~~C. Nonresidential uses and developments that were legally established and are nonconforming with regard to the use regulations of the master program may continue as legal nonconforming uses and shall not be enlarged or expanded.~~

~~D. A use which is listed as a conditional use but which existed prior to adoption of the master program or any relevant amendment and for which a conditional use permit has not been obtained shall be considered a nonconforming use.~~

~~E. A structure for which a variance has been issued shall be considered a legal nonconforming structure and the requirements of this section shall apply as they apply to preexisting nonconformities.~~

~~F. A nonconforming structure which is moved any distance must be brought into conformance with the SMP and the SMA.~~

~~G. All nonconforming use discontinued for 12 consecutive months, or for 12 months during any two-year period, shall forfeit all nonconforming use rights and any subsequent uses or structures shall be conforming.~~

~~H. Nonconforming uses and structures not addressed in this section shall comply with the requirements of WAC 173-27-080.~~

**Section 40.** Chapter 16.58.120 of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1491 § 5 is amended to read as follows:

### **16.58.120 Application Materials**

~~A. The owner of the subject property or the authorized agent(s) of the owner is encouraged to have a preapplication meeting with the city to determine if and what type of shoreline permit(s) is required for the proposed development or use.~~

~~B.A.~~ All requests for substantial development permits, conditional use permits and variances, shall, at a minimum, contain the following information and diagrams:

1. Completed JARPA form.
2. Written Justification: The applicant shall submit a written justification explaining how the development and/or use complies with the criteria established for the requested permit. In preparing the justification statement, the applicant must restate the criteria and provide the corresponding answer directly below each of the criteria.
3. All shoreline ~~substantial development permits~~, conditional use permits and shoreline variances require a SEPA review in conjunction with the review of the underlying application.
4. A site development plan consisting of maps and elevation drawings, drawn to an appropriate scale to depict clearly all required information, photographs and text which shall include:
  - a. The boundary of the parcel(s) of land upon which the development is proposed.
  - b. The OHWM of all water bodies located adjacent to or within the boundary of the project. Where the ordinary high water mark is neither adjacent to or within the boundary of the project, the plan shall indicate the distance and direction to the nearest ordinary high water mark of a shoreline. For projects adjacent to the Lake Tapps Reservoir the OHWM shall be identified.
  - c. Existing and proposed land contours. The contours shall be at intervals sufficient to accurately determine the existing character of the property and the extent of proposed change to the land that is necessary for the development. Areas within the boundary that will not be altered by the development may be indicated as such and contours approximated for that area.
  - d. The approximate location of trees over 4.5 DBH, their size (measured as DBH) and their species, along with the location of existing structures, driveways, access ways and easements and the proposed improvements.
5. A report from a Qualified Arborist stating the size (DBH), species, and assessment of health of all identified trees located within the vegetative buffer.

This requirement may be waived by the Planning Official if it is determined that proposed development activity will not impact Significant Trees within the Vegetation Conservation Area regulated by BLMC 16.56.060.

C.B. All request for a shoreline exemption shall be made using ~~a JARPA forms provided~~ by the Director, accompanied by a letter identifying which exemption(s) is being requested by the applicant and a simple site plan illustrating the location of the existing structure(s) and shoreline modification(s) and the proposed structure(s) and shoreline modification(s). The Director reserves the right to require whatever additional materials are necessary to accurately and completely review the proposal for compliance with the SMP and BLMC.

*This Page Intentionally Left Blank*



## ATTACHMENT A

### FINDINGS OF FACT AND CONCLUSIONS

Having considered in detail both the oral and documentary evidence received concerning the update to the City of Bonney Lake's Shoreline Master Program, the Bonney Lake City Council now makes and adopts the following Findings of Fact and Conclusions:

#### FINDINGS OF FACT

- 1) WAC 173-26-090(2)(b) requires that all jurisdictions within Pierce County conduct review, and if necessary, revise their shoreline master program (SMP) according to the schedule established in RCW 90.58.080(4)(b). The City of Bonney Lake is required by this section to complete this SMP review effort on or before June 30<sup>th</sup> 2019 and every eight years thereafter.
- 2) The City has properly undertaken this required effort pursuant to the procedures for conducting periodic reviews articulated in WAC 173-26-090(3).

#### **Shoreline Jurisdiction**

- 3) The Watershed Company and Makers prepared the document entitled *Shoreline Analysis Report for City of Bonney Lake Shorelines: Lake Tapps and Fennel Creek* dated June 24, 2010 (Shoreline Inventory and Characterization Report).
- 4) The City previously used that report to establish an ecological 'baseline condition' by which no-net-loss of ecological functions could be measured.
- 5) The City adopted a comprehensive update of the Shoreline Master Program (SMP) that became effective in 2014. The SMP was composed of three parts: the shoreline code (Division III, Title 16 of the Bonney Lake Municipal Code), the shoreline element of the City's comprehensive plan *Bonney Lake 2035*, and the City of Bonney Lake shoreline restoration plan. This adoption was undertaken pursuant to the authority provided in Chapter 90.58 RCW and Chapter 173-26 WAC.

- 6) The City previously adopted a Shoreline Environmental Designation (SED) map for the City of Bonney Lake as Attachment “B” to Ordinance No. 1491 on September 23, 2014. Since that time, the City has acquired land in the vicinity of Victor Falls (Fennel Creek area) that has become part of the City which requires designation and was not represented on that earlier map. The City has also identified a small corner of land in Allan Yorke Park that was misidentified on the map as “Shoreline Residential,” that should have been identified as “Park.” The City’s update process includes adopting a revised SED map appropriately designating the natural areas of the shoreline jurisdiction near Victor Falls as “Natural,” and the small portion of Allan Yorke Park as “Park.”

### **Public Participation**

- 7) The City developed a Public Participation Plan to ensure public involvement in the update of the City’s Shoreline Master Program as required by WAC 173-26-104 and WAC 173-26-201(3)(b).
- 8) The City’s Public Participation Plan was reviewed and accepted by the Department of Ecology as compliant with the provisions of WAC 173-26-201(3)(b).
- 9) The City held a community kick-off meeting on November 1, 2018 to discuss shoreline property owners’ issues and shoreline environmental concerns with community members, disseminate information, and to solicit feedback on community priorities. The City invited the pertinent representatives from Cascade Water Alliance, the Washington Department of Fish and Wildlife, and the Department of Ecology to attend. Only the staff member from Ecology was able to attend.
- 10) The City has made all draft materials related to the update available to the public on the City’s website, along with making posts on social media and maintaining a project-specific email list of individuals that requested regular updates
- 11) City staff has presented summaries of project progress at public meetings to the City’s Planning Commission on three occasions: September 5, 2018, January 16, 2019, and May 15, 2019. In addition, staff presented information and a report on the update to the City’s Parks Commission on January 14, 2019, focusing on how the update relates to Allan Yorke Park and the two semi-public shoreline parks within the City limits.
- 12) The City has undertaken to provide the joint notice process with the Department of Ecology, as outline in WAC 173-26-104.

## **State Environmental Policy Act**

- 13) The adoption of the City's Shoreline Master Program update is considered a non-project action as defined in WAC 197-11-704(2)(b) under the State Environmental Policy Act (SEPA).
- 14) This current update, as was the case with the adoption of the comprehensive update of the City's Shoreline Master Program that took place in 2014, is not categorically exempted from the SEPA pursuant to WAC 197-11-800; therefore, the City prepared a SEPA checklist for the comprehensive update in 2013 and that completed checklist has been adopted for this update.
- 15) Pursuant to WAC 197-11-926, the City of Bonney Lake was designated as the lead agency for the 2013 SEPA review of the proposed comprehensive update of the Shoreline Master Program that was completed in 2014.
- 16) The City Bonney Lake SEPA Official reviewed the SEPA Checklist and issued a threshold Determination of Non-Significance under WAC 197-11-340 on September 16, 2013.
- 17) A comment period on the Determination of Non-Significance was provided from September 16, 2013 to October 16, 2013.
- 18) There was not an appeal of the 2013 Determination of Non-Significance and it stood unchallenged as issued.
- 19) The City adopted that 2013 Determination of Non-Significance pertaining to this periodic update on April 22, 2019, finding that the checklist prepared for that update and the Determination of Non-Significance issued for that update still pertains based on the minor changes included in this periodic update. The City adopted those earlier materials and findings pursuant to WAC 197-11-630 and provided the signed notice of adoption to the Department of Ecology electronically on April 23, 2019.
- 20) No comment or challenge was received from the Department of Ecology related to adoption of the previous Determination of Non-Significance as a part of this periodic update.

## **Environmental Review**

- 21) The City developed a Shoreline Inventory and Characterization document and distributed it for agency and public review and compiled and responded to comments and issued a final document on June 24, 2010.
- 22) The City issued a *Draft Cumulative Impacts Analysis for City of Bonney Lake Shorelines: Lake Tapps and Fennel Creek* in March 2011 and considered and responded to government agency and public comments and prepared a *Final Cumulative Impacts Analysis for City of Bonney Lake Shorelines: Lake Tapps and Fennel Creek* in June 2013, which was revised in December 2013 due to the removal of the Printz Basin Flume.
- 23) The Final Cumulative Impact Statement concluded that the, "...implementation of the proposed SMP is anticipated to achieve no net loss of ecological functions in the City of Bonney Lake's shorelines."

### **Environmental Documents**

- 24) The City's draft SMP regulations are based on "best available science" as document in the Shoreline Inventory and Characterization Report.
- 25) To supplement the Shoreline Inventory and Characterization Report, the City relied on the following existing environmental documents:
  - a) *Environmental Analysis of the Fennel Creek Corridor* prepared by Foster Wheeler Environmental Corporation (1997).

This report included an in-depth analysis of the ecological functions of the entire length of Fennel Creek. This report provides greater specificity than what was included in the Shoreline Analysis. The report also includes a delineation of the wetlands, which is slightly different than the wetlands illustrated on Figure 6 of the Shoreline Analysis.

- b) *Fennel Creek Trail DEIS and Fennel Creek Trail FEIS* prepared by Tetra Tech (January 2007 and March 2007)

This analysis includes the portions of the trail at Allen Yorke Park and the area around Victor Falls. This information evaluates the impacts associated with the development of the Fennel Creek Trail within the Shoreline Jurisdiction.

- c) *Lake Tapps Boat Management Plan* prepared by Pierce County (2005)

This report provides information regarding the recreation usage of the reservoir. One of the specific concerns is that the Lake is already exceeding the Recreation Planning Standard of one acre per boat which has specific implication regarding the goal of SMA to increase access to the lake for boating purposes.

- d) *1997 Lake Tapps Survey: The Warmwater Fish Community of a Reservoir Managed for Hydropower* prepared by the Washington Department of Fish and Wildlife (1997)

This report concluded that the annual drawdowns and refills affect both biological and physical characteristics of the reservoir. For example, little, if any submersed aquatic vegetation (an important source of food and shelter for most warmwater fish) was detected in Lake Tapps during the study area. Temperatures did not exceed 13° C throughout the water column (cool temperatures result in slow fish growth) Furthermore, because of the colloidal nature of the water, secchi disc readings did not exceed 0.5 m (negligible light penetration affects primary productivity, aquatic plant growth, as well as foraging efficiency of fish).

- e) *City of Bonney Lake Wellhead Protection and Monitoring Program Phase II* prepared by RH2 (2000)

This report addresses the steps necessary to protect the well head areas which include the well head areas within the jurisdiction of the SMP. The Final Shoreline Analysis also did not include maps illustrating the Well Head Protection Area on the northwest side of the City's portion of the reservoir and the Critical Aquifer Recharge Area that encompasses all of the Fennel Creek.

- f) *Draft EIS and Final EIS: Lake Tapps Reservoir Water Rights and Supply Project* prepared by CWA (January 2010 and June 2010)

- g) *Lake Tapps Integrated Aquatic Vegetation Management Plan* prepared by Tetra Tech for Cascade Water Alliance (August 2010)

The purpose of the Lake Tapps Integrated Aquatic Vegetation Management Plan (IAVMP) is to develop a long-term strategy for eradication of milfoil from Lake Tapps Reservoir in order to improve existing beneficial and recreational uses, and insure water quality to meet future water demands.

- h) *Collaborative Community Plan for Managing Lake Tapps* prepared by EnviroIssues (Spring 2011).

This plan provides Cascade Water Alliance’s approach to addressing issues associated with the Lake Tapps Reservoir, including invasive plants/animals, boater safety, public access, recreation usage.

- i) *Bonney Lake Septic System Abatement Master Plan* prepared by RH2 (2012).

This report addresses the abatement of existing septic systems, while none of the areas are within the shoreline jurisdiction; two of the areas are located in close proximity.

- j) *Quality of Water in the White River and Lake Tapps, Pierce County, Washington, May–December 2010* prepared by USGS (March 2012)

This report included an in-depth analysis of the water quality for the Lake Tapps Reservoir. As part report nine specific sites were monitored over the course of the study of which two are located with the aquatic area under the Bonney Lake SMP. One monitoring site was at Allen Yorke Park and the other was on the northeast side of Inlet Island.

- 26) The Shoreline Inventory and Characterization Report, along with the findings and analysis included in the other above-referenced documents (“best available science”), formed the basis by which the regulations that were a part of the City’s comprehensive update were designed to ensure no net loss of ecological functions. Those regulations became effective October 16, 2014.

### **State Agency Review**

- 27) The goals and policies of the Shoreline Master Program shall be considered an element of a jurisdiction’s comprehensive plan and the regulatory provisions of the Shoreline Master Program shall be considered part of a jurisdiction’s development regulations pursuant to RCW 36.70A.480.
- 28) Development regulations are defined as the controls placed on development or land use activities by a county or city, including, but not limited to, zoning ordinances, critical areas ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances, and binding site plan ordinances together with any amendments thereto pursuant to RCW 36.70A.030.

- 29) The notice of the City’s intent to adopt Draft Ordinance was provided to the Department of Commerce on May 21, 2019 for review and comment by the Department and other State agencies required by RCW 36.70A.106.
- 30) The Draft SMP update ordinance, consisting of the proposed development regulation changes (Division III, Title 16 BLMC) and SED map were sent to the Department of Ecology for initial review on April 5, 2019 and feedback was received on May 2, 2019. That feedback was incorporated into the working draft regulations.

### **Countywide Planning Policies**

- 31) The *Countywide Planning Policies for Pierce County Washington* (CPP) Env – 4.1 requires that each municipality in the County place, “... a primary emphasis on maintaining, enhancing, conserving, and/or protecting, as appropriate, designated and identified natural resources including lands of local, county, and statewide significance.”
- 32) CPP-Env – 4.4 and 5.4 requires that each municipality in the County, “adopt a ‘no net loss’ approach.”
- 33) CPP-Env – 4.5 and 5.5 requires that each municipality in the County consider, “utilizing positive incentives to ensure conservation over time.”

### **Comprehensive Plan Policies**

- 34) *Bonney Lake 2035* Policy CD-4.1 states that “[P]lanning and land use decisions should recognize residential neighborhoods as the basic ‘building blocks’ of the community, ensure compatibility with existing detached homes, protect neighborhoods from incompatible uses, and maintain a range of residential zones corresponding to the prevailing neighborhood densities.”
- 35) *Bonney Lake 2035* Policy CD-4.4 states that the City will “[C]onserve and protect the unique ecological characteristics of the City and utilize urban forestry to integrate open space, parks, green belts, street trees, landscaping, and natural features into future development in order to maintain Bonney Lake’s livability, improve access to nature, and to address climate change by utilizing trees to sequester carbon from the atmosphere.”
- 36) *Bonney Lake 2035* Policy CD-7.4 encourages “developers to retain mature trees to the extent possible, particularly in residential areas.”

- 37) *Bonney Lake 2035* Policy ES-3.1 directs the City to “[P]rotect water bodies from point and non-point sources of contamination and nitrification.”
- 38) *Bonney Lake 2035* Policy ES-3.2 directs the City to “[P]romote the enhancement or restoration of surface waters as adjacent development activities occur.”
- 39) *Bonney Lake 2035* Policy 3.5 directs the City to “[P]romote Low Impact Development techniques as an alternative to standard development practices such as, using natural systems to maintain and enhance environmental quality by having them perform such functions as cleaning air and water, and controlling storm water runoff.”
- 40) *Bonney Lake 2035* Policy ES-3.6 directs the City to “[P]reserve vegetative buffers along streams and drainage ways to enhance water quality, protect habitat, and prevent erosion.”
- 41) *Bonney Lake 2035* Policy ES-3.7 directs the City to “[M]itigate stormwater related impacts through best management practices.”
- 42) *Bonney Lake 2035* Policy ES-3.10 directs the City to “[C]ontinue to purchase property along the Fennel Creek Corridor to preserve the corridor and consider using property around the creek as wetland mitigation sites.”
- 43) *Bonney Lake 2035* Policy ES-6.3 directs the City to “[E]ncourage the restoration of ecological functions and the natural environment in environmentally damaged areas through incentives.”
- 44) *Bonney Lake 2035* Policy ES-6.4 directs the City to “[P]rotect water quality in lakes and streams.”
- 45) *Bonney Lake 2035* Policy ES-7.4 directs the City to “[P]rotect significant trees, promote tree replanting, and encourage the use of native plants.”
- 46) *Bonney Lake 2035* Policy ES-7.6 directs the City to “[P]romote the preservation of native vegetation and mature trees, revegetation, and appropriate landscaping to improve air and water quality and fish and wildlife habitat.”
- 47) *Bonney Lake 2035* Policy ES-7.7 directs the City to “[E]ncourage preservation of the urban forest and promote the use of native plants in residential and commercial landscapes.”

## **CONCLUSIONS**



- 1) The City's SMP regulations remain largely consistent with the basic State requirements of the Shoreline Management Act; however, the City is using the opportunity of the periodic update to make some minor changes to the goals, policies, and regulations of the SMP to more efficiently and effectively continue to work towards achieving the goal of no net loss of ecological functions over time.
- 2) Much of the shoreline jurisdiction and the uplands adjacent thereto are in private ownership. Unrestricted construction on the privately owned or publicly owned shorelines is not in the best public interest; therefore, coordinated regulations and targeted programs that incentivize planting of native vegetation are necessary in order to protect the public interest associated with the shoreline jurisdiction while recognizing and protecting private property rights consistent with the public interest.
- 3) There is a clear and urgent demand for a planned, rational, and concerted effort, jointly performed by federal, state, and local governments, to prevent the inherent harm in an uncoordinated and piecemeal development of Bonney Lake's shoreline jurisdiction.
- 4) Bonney Lake's Shoreline Master Plan is intended to:
  - a. Respond to the most up-to-date shoreline concerns and knowledge; and
  - b. Ensure that habitat issues are addressed by identifying and utilizing the most current, accurate and complete scientific and technical information available for shorelines and critical areas Best Available Science (BAS);
  - c. Identify and incentivize needed enhancement and restoration opportunities; and
  - d. Integrate the SMP with Bonney Lake's Comprehensive Plan; and
  - e. Specify shoreline regulations as a separate Title in the Bonney Lake Municipal Code; and
  - f. Address the most current regulatory solutions; and
  - g. Demonstrate consistency with the 2004 DOE Shoreline Guidelines; and
  - h. Provide management of the shorelines of the City by planning for and fostering all reasonable and appropriate uses; and

- i. Ensure the development of the City's shorelines in a manner which, while allowing for limited reduction of rights of the public in the navigable waters, will promote and enhance the public interest; and
  - j. Protect against adverse effects to the public health, degradation of the ecology of the shoreline environment in terms of vegetation, wildlife and water quality, and protect generally public rights of navigation and corollary rights.
- 5) Bonney Lake's shoreline policies are intended to protect against adverse effects to the public health, the land and its vegetation and wildlife, and the waters of the state and their aquatic life, while protecting generally public rights of navigation and corollary rights incidental thereto.
- 6) By State mandate, Bonney Lake's SMP includes a regulatory component. The City has reviewed this regulatory component and found it consistent with the requirements of the State. The regulatory component addresses issues of concern regarding specific land uses or activities within the shoreline, and issues related to shoreline modification in order to protect and enhance the unique ecological functions of the shoreline resource.
- 7) By State mandate, Bonney Lake's SMP includes shoreline goals and policies contained in chapter 8, the Shoreline Element, of *Bonney Lake 2035*. This section of the City's comprehensive plan has been revised for consistency with the new regulatory changes and the other sections of *Bonney Lake 2035*.
- 8) Bonney Lake's SMP regulations appropriately limit the use of property through traditional development regulations such as setbacks, building height, public access, permitted uses, design guidelines, protection of critical areas, and parking. Where flexibility is needed to accommodate private property rights, the City's regulations are being amended to better provide for the continuation of legal non-conforming uses and development.
- 9) Alterations of the natural condition of the shoreline jurisdiction, in those limited instances when authorized, shall be given priority for single family residences and their appurtenant structures, ports, shoreline recreational uses including but not limited to parks, piers, and other improvements facilitating public access to shorelines.
- 10) All development standards within these updated sections have been reviewed and found to be in compliance with the Shoreline Management Act.

- 11) The joint notice process that has been undertaken pursuant to the requirements of WAC 173-27-104 meets and exceeds all of the statutory requirements for public engagement for the periodic SMP update process.

### **Shoreline of Statewide Significance**

- 12) The Shoreline Element of the Bonney Lake Comprehensive Plan and implementing development regulations establishes shoreline environmental designations based on the Shoreline Managements Act's preferred uses for Shorelines of Statewide Significance.

### **Cumulative Impacts**

- 13) This SMP periodic update is based on the most current, accurate and complete scientific and technical information or Best Available Science (BAS), which has been used to characterize the shoreline and develop this SMP for the City of Bonney Lake. BAS is based on research and studies conducted by qualified individuals using documented methods that lead to verifiable results and conclusions. Where there were gaps in the data or information, the City relied on existing studies, existing literature, and best professional judgment.
- 14) Based on BAS and implementation of the changes to the City's development regulations proposed herein, including the additional vegetation-planting incentives that are included, the cumulative actions taken over time in accordance with the proposed SMP are not likely to result in a net loss of shoreline ecological functions from existing baseline conditions. Due to the fact that existing conditions have a very low rating in terms of ecological functions, there may even be an improvement in ecological conditions if substantial numbers of upland property owners choose to pursue these new incentives.
- 15) The Cumulative Effects Analysis for the Shoreline Master Program demonstrates that the program will make a positive contribution to maintaining and enhancing the ecological functions of the shoreline in Bonney Lake.

### **Public Access**

- 16) The regulations are intended to improve public access as well as limit the impacts from overwater structures (docks/piers and boat launch floats).

- 17) In the implementation the SMP, the public's opportunity to enjoy the physical and aesthetic qualities of natural shorelines shall be preserved to the greatest extent feasible consistent with the overall best interest of the state, the county, and the people generally. To this end uses are preferred which are consistent with control of pollution and prevention of damage to the natural environment or are unique to or dependent upon use of the state's shoreline.
  
- 18) Permitted uses in the shorelines zone have been designed in a manner to minimize, insofar as practical, any resultant damage to the ecology and environment of the shoreline jurisdiction and any interference with the public's use of the water.

## ATTACHMENT B

### 1. INTRODUCTION

The *City of Bonney Lake's Shoreline Master Program* (SMP) consists of the shoreline goals and policies contained in this chapter of the *Bonney Lake Comprehensive Plan*, the shoreline regulations contained in the Shoreline Code (Chapters 16.34 – 16.58 of the Bonney Lake Municipal Code (BLMC)), and the *City of Bonney Lake Shoreline Restoration Plan*. The SMP is adopted pursuant to the authority in Chapter 90.58 RCW and Chapter 173-26 WAC.

#### 1.1 STATUTORY FRAMEWORK

In 1971, the State of Washington's legislature enacted the Shoreline Management Act (SMA) in order "to prevent the inherent harm in an uncoordinated and piecemeal development of the state's shorelines" which the legislature determined "are among the most valuable and fragile" of the state's resources. To that end, the SMA established ~~board~~ broad policy goals related to the utilization, protection, restoration, and preservation of ~~the~~ shorelines. ~~and~~ The SMA gave preference single-family residences and to:

- Uses that protect water quality, vegetation, and wildlife habitat.
- Uses which depend on the proximity to the shoreline.
- Uses which preserve and enhance public access or recreational opportunities for the public.

A citizen's initiative in 1972 designated that all lands within two hundred (200) feet of the shoreline would be regulated under the SMA.

The goal of the SMA is to create a regulatory framework that balances ~~authority to regulate the~~ responsibility for regulating development ~~on within~~ the shoreline jurisdiction between state and local government. Within this framework, the Department of Ecology has the responsibility for issuing guidelines for SMPs, assisting local governments in developing master programs, and determining if a local SMP ~~s~~ meets the policy objectives of the criteria in RCW 90.58.090 and the requirements in Chapter 173-26 WAC. The City of Bonney Lake is responsible for ~~the preparation of a~~ maintaining an SMP that establishes ~~the~~ policies, goals, and regulations related to ~~the~~ future developments and uses of the shorelines areas, and that is tailored to the specific needs of ~~the~~ our community ~~and complies while~~ complying with the requirements ~~of the~~ established by the State.

#### 1.2 VISION

The City of Bonney Lake's first SMP was adopted in 1975 and ~~has not been subsequently updated was not~~ substantively updated until 2014; other than minor revisions to the administrative provisions. Key considerations within the original (1975) SMP included conservation, public access, guidance for water-oriented recreational uses, and allowances for residential development. The City's 1975 SMP met the appropriate standards for the time at which it was written and adopted, but over time changes in conditions and improvements in the best available science made it appropriate for the State to require resulted in a State requirement that all local jurisdictions like ours to complete a comprehensive update of our the a jurisdiction's SMPs. To address the changes since 1975, comply with the mandates of the



SMA, and enable the City to plan for emerging issues, the City initiated a comprehensive update of its SMP in 2009. The updated SMP responds to current conditions and the community's vision for the future. In updating the SMP, the City's primary objectives were to:

~~To address the changes since 1975, comply with the mandates of the SMA, and enable the City to plan for emerging issues, the City initiated a comprehensive update of its SMP in 2009. The updated SMP responds to current conditions and the community's vision for the future. In updating the SMP, the City's primary objectives were to:~~

- Enable current and future generations to enjoy an attractive, healthy, and safe waterfront.
- Protect the quality of water and associated natural resources of the State's shorelines.
- Preserve fish and wildlife habitats.
- Protect the investments of property owners along and near the shoreline.
- Have an SMP that is supported by Bonney Lakes elected officials, citizens, property owners, the State of Washington, and other key groups with an interest in the shoreline.
- Efficiently achieve the SMP mandates of the State.
- Plan for and foster all reasonable and appropriate uses.
- Provide opportunities for the general public to have access to and enjoy the shorelines of the state.

State law (RCW 90.58.080) also requires that local jurisdictions review and revise their SMPs regularly, in order to respond to developments in areas such as best available science and legal decisions. The City of Bonney Lake's SMP represents the City's ~~participation in~~ commitment to an on-going, coordinated planning effort with the Department of Ecology to protect the public interest associated with the shorelines of the state, while, at the same time, recognizing and protecting private property rights. The objective of the SMP is to preserve the public's opportunity to access the shorelines of the state and to protect the functions of shorelines so that, at a minimum, the City achieves a 'no net loss' of ecological functions. The SMP also promotes restoration of impaired ecological functions.

## 1.3 ORGANIZATION

The goals and policies in this Shoreline Chapter are grouped under five sections:

- Shoreline Designations

- General Shoreline Policies
- Shoreline Uses and Development
- Shoreline Modifications
- Shorelines of Statewide Significance

## 1.4 LAKE TAPPS RESERVOIR

Lake Tapps is the largest freshwater body in Pierce County, with approximately 4.5 square miles of surface area (2,296 square acres) and 45 miles of shoreline. The City of Bonney Lake has jurisdiction over approximately 9.5 miles of the Lake Tapps' shoreline, while the remaining 35.5 miles of shoreline is under the jurisdiction of the Pierce County SMP.

Lake Tapps is a man-made water body constructed by Pacific Coast Power Company between 1909 and 1911 as part of the White River Power Plant. The project that created Lake Tapps included the construction of a diversion facility near the City of Buckley to divert channel water from the White River and along with construction of 2.5 miles of dikes and embankments to create a reservoir that artificially raised the level of four natural lakes: Church, Crawford, Kirtley, and Tapps.



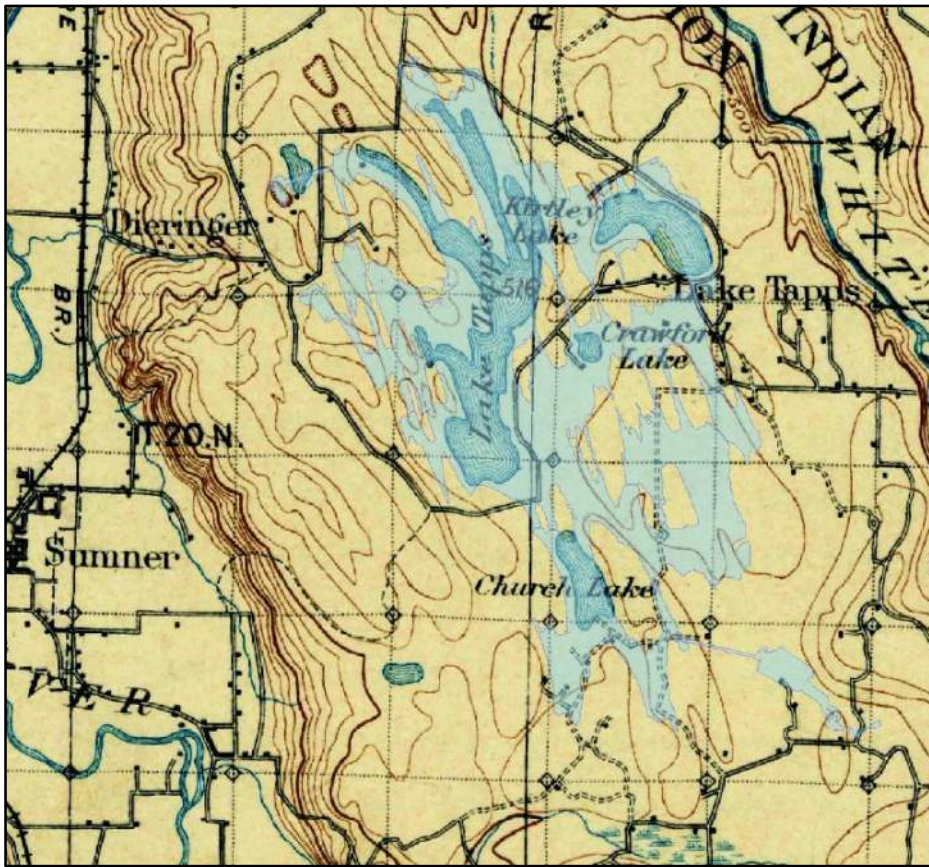


Figure 8-1: The four original lakes as shown on the 1897 USGS Map overlaid with the Lake Tapps Reservoir

The diverted water stored in the reservoir was originally used to turn turbine generator units in a powerhouse located on the valley floor near Derringer which supplied electricity to Tacoma and Seattle.<sup>1</sup>



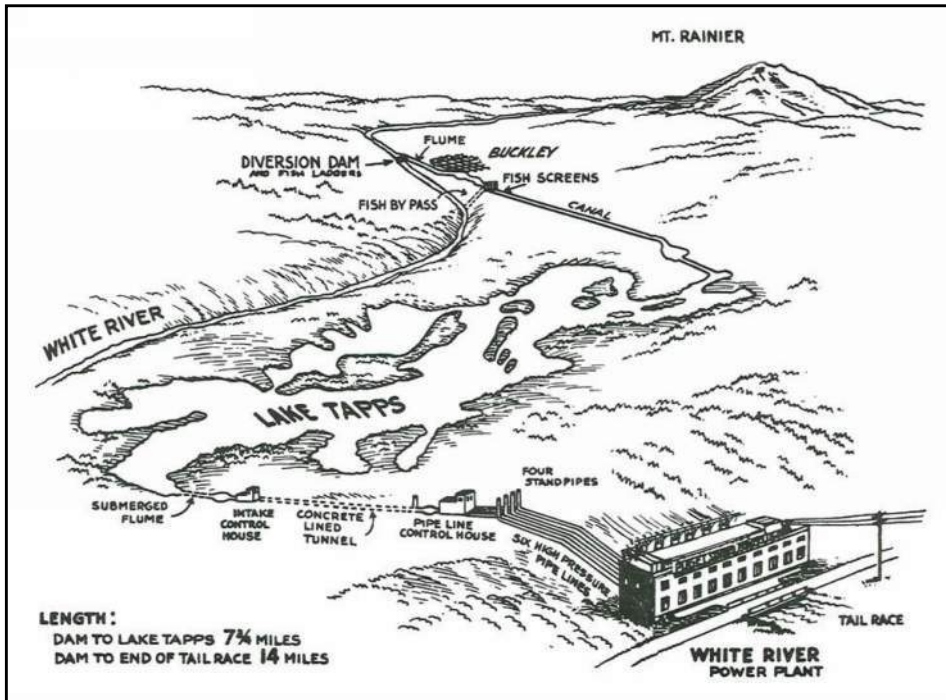


Figure 8-2: Historic Hydroelectric Facilities<sup>2</sup>

The water in Lake Tapps was utilized for hydroelectric power generation by Puget Sound Energy (PSE) for nearly a century. PSE voluntarily ceased operations in 2004, due to revisions to their operating license which included stronger environmental regulations established by the Federal Energy Regulatory Commission (FERC), making operation of the facility more expensive than alternative power sources.<sup>3</sup> In 2005 the Cascade Water Alliance<sup>4</sup> (CWA) and Pierce County entered into a Memorandum of Understanding for the long term management and operation of Lake Tapps as a public water supply and public recreational amenity. The CWA subsequently purchased the White River Power Generation Facility from PSE in 2009 assuming the operation and maintenance responsibilities for Lake Tapps.

In 2010, the Department of Ecology granted CWA water rights which allows CWA to divert water from the White River to be stored and withdrawn from Lake Tapps for municipal water supply purposes. The project is planned to take 50 years to construct, and once operations commence CWA has will authority to take an average of 48 million gallons of water from Lake Tapps each day for public use. As part of the project, CWA has entered into an agreement with the Muckleshoot and Puyallup Tribes to preserve and restore fish habitat in the White River.

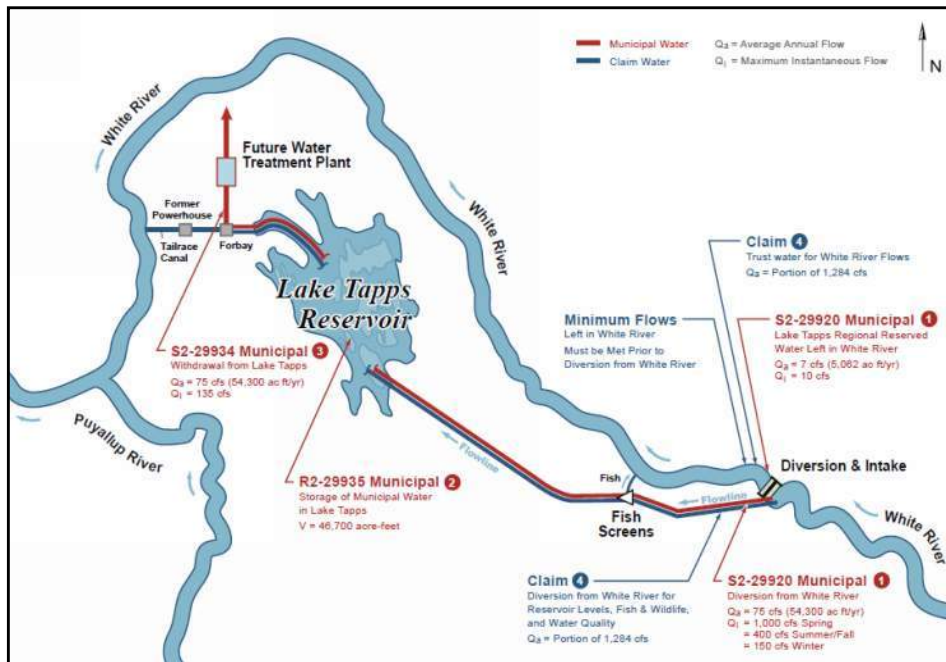


Figure 8-3: Plan for the CWA Water Supply Project<sup>5</sup>

## 1.5 FENNEL CREEK

Fennel Creek begins at a spring near the intersection of SR-410 and 234<sup>th</sup> Ave. E. and collects surface and spring runoff all along the corridor before flowing into the Puyallup River. The only portion of Fennel Creek within the jurisdiction of the SMA and regulated by the City's SMP is located below Victor Falls.

## 2. SHORELINE ENVIRONMENTAL DESIGNATIONS (SED)

**Goal SL-1: Provide a comprehensive shoreline environmental designation system to systematically guide the use, development, preservation, and restoration of the shorelines of the state within the City of Bonney Lake.**

*Policy SL 1.1 Areas designated Aquatic ("A") shall be all areas waterward of the ordinary high-water mark.*

Within these areas, only water depended uses should be allowed in order to protect, restore, and manage the unique characteristics and resources of the aquatic environment. The following management policies should be implemented through the development regulations adopted by the City for these areas:

- Allow new over-water structures only for water-dependent uses, public access, and/or ecological restoration.
- Allow for maintenance of existing utilities within the aquatic SED that balances the need for maintenance and repair with effective environmental impact minimization and mitigation.
- The size of new over-water structures should be limited to the minimum necessary to support the structure's intended use.
- In order to reduce the net impacts of shoreline development and increase effective use of water resources, multiple-use shared-use of over-water facilities should be encouraged.
- All developments and uses on navigable waters should be located and designed to minimize interference with surface navigation and to consider impacts to public views.
- Uses that adversely impact the ecological functions should not be allowed except where necessary and then only when impacts are mitigated to assure no net loss of ecological functions.
- Shoreline uses and modifications should be designed and managed to prevent degradation of water quality and alteration of natural hydrographic conditions. Wherever feasible, development incentives should be made available to upland property owners that provide on-site water quality improvement features.
- Shoreline areas should be reserved for shoreline preferred use-uses, and development ~~of the shoreline occurring within the shoreline jurisdiction~~ should consider upland and in-water uses, water quality, navigation, presence of aquatic vegetation, existing residential uses, critical habitats, aesthetics, public access and views.

*Policy SL-1.2: Shorelines designated Natural ("N") should be areas that contain high quality habitat relatively free of human influence.*

Within these areas, only low intensity uses and minimal development should be allowed in order to maintain the existing high quality habitat. This ~~type of~~ designation ~~would be~~ appropriate for the undeveloped areas around Fennel Creek at Victor Falls. The City should focus on preserving these areas and prohibiting development that would degrade ecological functions. The following management policies should be implemented through the development regulations adopted by the City for these areas:

- Uses that would substantially degrade the ecological functions or be detrimental to the visual quality of the natural character should be prohibited.
- Access may be permitted for scientific, historical, cultural, educational, and low-intensity water-enjoyment recreational purposes.
- Physical alterations should only be considered when they serve to protect or enhance a significant, unique, or highly valued feature that might otherwise be degraded, or for the purpose of public access where no significant ecological impacts would occur.



*Policy SL-1.3: Shorelines designated Park ("P") should be areas that are planned for recreational uses and school properties.*

The purpose of the "Park" designation is to provide areas suitable for water-oriented recreational uses while protecting and, where feasible, restoring ecological functions. This ~~type of~~ designation ~~would be~~ appropriate for areas such as Inlet Island Park, Church Lake Park, Allan Yorke Park, and Emerald Hills Elementary. The following management policies should be implemented through the development regulations adopted by the City for these areas:

- Water-dependent recreational uses should be given highest priority. Water-oriented recreational uses should be given priority over non-water-oriented uses.
- Water-dependent and water-enjoyment recreation facilities (e.g. boating facilities, angling, wildlife viewing trails, and swimming beaches) are preferred uses.
- During development and redevelopment, all reasonable efforts should be taken to restore ecological functions.
- Standards should be established for shoreline stabilization measures, vegetation conservation, water quality, and shoreline modifications within this designation to ensure that new development does not further degrade the shoreline and is consistent with the overall goal of improving ecological functions and habitat.

*Policy SL-1.4: Shorelines designated as Shoreline Residential ("SR") should be areas that are identified to accommodate existing and planned single family residential uses.*

The Shoreline Residential designation is suitable to areas ~~either currently~~ that are already developed with residential units, or that are already planned to accommodate future residential development and appurtenant structures. The objective of assigning ~~an area to~~ this designation to a particular area is recognizing and consolidating residential development in areas that are already characterized by residential development, while protecting that if development is to occur within the shoreline, it should occur in areas that have already been altered instead of shoreline areas that remaining still remain in a highly natural state. This ~~type of~~ designation ~~would be~~ appropriate for most of the residential areas around Lake Tapps, as approximately 90% of the shoreline is armored and already developed.<sup>6</sup> The following management policies should be implemented through the development regulations adopted by the City for these areas:

- Existing ecological functions should be protected and, where feasible, previously degraded ecological functions should be restored.
- During development and redevelopment, all reasonable efforts, should be taken to restore ecological functions and establish effective measures to improve water quality, such as planting native vegetation adjacent to the OHWM and providing buffers between the OHWM and upland grass lawns.
- Standards should be established for buffers, shoreline stabilization measures, vegetation conservation, critical area protection, water quality, and shoreline modifications to ensure that

development does not further degrade the shoreline and is consistent with the overall goal of improving ecological functions and habitat.

- Public access should be enhanced whenever feasible, provided that significant ecological impacts can be mitigated.
- Residential development should be permitted where there is adequate access to public utility services.
- Land divisions of five or more parcels should provide public access.
- New residential development should be located and designed so that future shoreline stabilization is not needed.

*Policy SL-1.5: Shorelines designated as Shoreline Multifamily ("SM") should be areas that are identified to accommodate high density residential uses.*

The Shoreline Multifamily designation is for areas that of January 1, 2013 were designated High-Density Residential by the Future Land Use Map adopted as part of the Comprehensive Plan. These areas are planned for multifamily residential development of up to 20 dwelling units per acre. This designation should not be expanded within the shoreline jurisdiction as high density multifamily is not a preferred use under the SMA.

The objective of assigning an area to this designation is in recognition that the first level of environment designation assignments must be based on planned land use identified in the Comprehensive Plan in order to ensure consistency between the Comprehensive Plan and SMP as required by WAC 173-26-211(3). Additionally, this designation recognizes that not only must the overall uses allowed be consistent between the Comprehensive Plan and the SMP, but also the restrictive provisions of each should not combine in such a way that the use is effectively precluded on any parcel. The following management policies should guide development within these areas:

- Existing ecological functions should be protected and, where feasible, previously degraded ecological functions should be restored.
- During development and redevelopment, all reasonable efforts should be taken to restore ecological functions.
- Standards should be established for buffers, shoreline stabilization measures, vegetation conservation, critical area protection, water quality, and shoreline modifications to ensure that development does not further degrade the shoreline and is consistent with the overall goal of improving ecological functions and habitat.
- Residential development should be permitted where there is adequate access to public utility services.
- New multi-family development should provide public access.



- New residential development should be located and designed so that future shoreline stabilization is not needed.

Formatted: Bulleted + Level: 1 + Aligned at: 0.25" + Tab after: 0.5" + Indent at: 0.5"

Formatted: Bulleted + Level: 1 + Aligned at: 0.25" + Tab after: 0.5" + Indent at: 0.5"

## 3. GENERAL SHORELINE POLICIES

### 3.1 PUBLIC ACCESS

**Goal SL-2: Preserve and enhance the public's ability to physically and visually enjoy the shoreline environment.**

Public access includes the ability of the general public to reach, touch, and enjoy the water's edge; to travel on the waters of the state; and to view the water and the shoreline. Public access is a key component of the SMA and should be encouraged both in private and public developments.

*Policy SL-2.1: Views of Lake Tapps from public parks should be preserved and enhanced.*

Enhancement of views should not be construed to mean excessive removal of vegetation.

*Policy SL-2.2: Public access should be designed to minimize impacts on adjacent uses, provide for public safety, and avoid impacts to critical areas.*

Public access should be designed to minimize the impacts on adjoining properties, through measures such as physical separation or by placing an intervening landscape buffer. In addition, public access trails should be located and designed to assure that users are visible and that pathways are well illuminated, if open in hours of darkness.

Public access through environmentally critical areas should be designed to avoid or minimize impacts to wetlands or streams and corresponding protective buffers.

*Policy SL-2.3: Cooperate with Pierce County and other local government agencies to complete the Fennel Creek Trail.*

While the entire length of the Fennel Creek Trail is not within the shoreline area, the trail will connect Allan Yorke Park to the Foothills Trail and the future Pierce County Flume Trail. This regional trail network will connect multiple shoreline areas including Lake Tapps, Fennel Creek, and the Puyallup and White Rivers.



*Policy SL-2.4: Enhance West Tapps Highway and Bonney Lake Boulevard to improve access for recreational activities and local residence.*

Traffic at the intersection of West Tapps Highway and Bonney Lake Boulevard has increased over time and is extremely heavy in the summer due to the boat launch facilities at Allen Yorke Park. Improvements should be sought which recognize the recreational and commuting needs of diverse user groups: pedestrians, bicyclists, boaters, and local residents.

*Policy SL-2.5: Design transportation improvement projects to increase public access and scenic amenities.*

Shoreline roadways, such as West Tapps Highway and Church Lake Road, should be designed to maximize views of the water, provide pedestrian amenities, (e.g. widened sidewalks, benches, view stations, etc.), and include the development of a public sign system that identifies historic or scenic features.

## 3.2 CRITICAL AREAS

**Goal SL-3: Preserve, protect, and restore critical areas within the shoreline environment.**

*Policy SL-3.1: Protect and preserve shoreline-associated wetlands.*

Within the immediate vicinity of Fennel Creek, there are wetlands which perform many ecological functions, including providing habitat for fish and wildlife, flood control, groundwater recharge, water storage, and sedimentation filtration.

*Policy SL-3.2: Manage development to avoid risk ~~and~~ damage to property and loss of life from geological hazards.*

Lake Tapps is situated on an upland glacial drift plain bounded by volcanic mudflows and continental deposited ice-sheets.<sup>7</sup> As a result a small portion of Lake Tapps' shoreline has been classified as a Seismic Hazard Area.<sup>8</sup> Seismic hazard areas are subject to severe risk of damage as a result of earthquake induced ground shaking, slope failure, settlement, soil liquefaction, lateral spreading, or surface faulting.

Fennel Creek is located in a forested ravine that extends from Victor Falls to a point just upstream of McCutcheon Road which is considered a Potential-Class 1 Landslide Slide Hazard Area.<sup>9</sup> Class 1 Landslide hazard areas are subject areas prone to landslides based on geology, soils, topography, and hydrology and are intended to remain undeveloped.

*Policy SL-3.3: Protect and preserve freshwater habitat conservation areas.*

Fish and wildlife habitat conservation areas provide food, protective cover, nesting, breeding, or movement for threatened, endangered, sensitive, monitor, or priority species of plants, fish, or wildlife. Within the City, both Lake Tapps and Fennel Creek fall within this classification.



Lake Tapps has been designed a Priority Habitat Area for both Waterfowl and Small Waterfowl Concentrations, providing resting and foraging habitat for hundreds of waterfowl with the greatest concentrations present during the fall migration period.<sup>10</sup> Also, as part of the new update to the City's Critical Areas Ordinances, the area within 200 feet of Fennel Creek has been identified as a riparian zone and designated as a Fish and Wildlife Habitat Conservation area, consistent with WDFW's draft Riparian Ecosystem, Volume 2: Management Recommendations (2018).

**Commented [JS1]:** As part of the new CAO, the area within 200 feet of Fennel Creek was identified as a Riparian Zone and was designated as Fish and Wildlife Habitat Conservation area consistent with WDFW's draft Riparian Ecosystem, Volume 2: Management Recommendations (2018).

The reach of Fennel Creek around Victor Falls is within the highest class range (Class AA) established for Washington state surface waters and is classified as an Urban Natural Open Space consisting of a high value riparian corridor with multiple vegetation layers and a predominance of native plant species providing high quality habitat for wildlife species including Coho Salmon, cutthroat trout, and winter steelhead. ~~Fennel Creek~~.<sup>11</sup>

*Policy SL-3.4: Prevent development within ~~the 100-year regulated floodplain hazard areas~~ to avoid risk and damage to property and loss of life.*

Frequently flooded areas help to store and convey storm and flood water, recharge ground water, and provide important riparian habitat for fish and wildlife. Flooding also can cause substantial damage to public and private developments located within these areas resulting in significant costs to the public as well as to private individuals. As a part of FEMA's adoption of updated FIRM mapping in 2017, the areas of shoreline immediately upland of Lake Tapps are no longer shown as regulated flood hazard areas, while the areas of mapped flood hazard area along Fennel Creek were reduced and development within those areas is effectively prohibited.

**Commented [JS2]:** Should add language that under the new FIRM the upland areas around Lake Tapps were removed from the Floodplain. Only those areas below the OHWM are considered to be in the floodplain.  
  
The floodplain was reduced along Fennel Creek also and development in the area is prohibited.  
  
The term "100 year" is no longer used by FEMA.

### 3.3 WATER QUALITY AND WATER QUANTITY

**Goal SL-4: Manage activities in the larger watershed basin that may adversely impact surface and ground water quality or quantity.**

Surface water management ~~at of~~ the larger watershed basin is critical since activities throughout the watershed contribute to water quality conditions in both Lake Tapps and Fennel Creek.

As part of the ~~City's of Bonney Lake's Stormwater Comprehensive adopted Watershed Protection Plan (WPP)~~ and ~~through~~ implementation of the NPDES Phase II Municipal Stormwater Permit requirements, the City is pursuing activities and programs within the larger watershed to address flood protection, water quality improvement, and habitat protection and restoration. As a part of that effort, the regulatory element of the City's SMP is one critical component of implementing the WPP due to the fact that development within the shoreline jurisdiction upland of Lake Tapps has the potential to impact water quality conditions in both Lake Tapps and Fennel Creek either positively or negatively. Making sure that the regulations that require new development and re-development within the shoreline jurisdiction to properly treat and limit stormwater discharges contributes to ensuring consistency with the water quality and quantity monitoring metrics that are found in the WPP. -

**Formatted:** Font: Not Italic  
**Formatted:** Font: Not Italic  
**Formatted:** Font: Not Italic

*Policy SL-4.1: Manage storm water quantity to ensure protection of natural hydrology patterns and avoid or minimize impacts to streams.*





Native forest communities with healthy soil structure and organic content control the amount and timing of run-off water that reaches streams by intercepting, storing, and slowly conveying precipitation. As these systems are impacted and forests are replaced by impervious surfaces (e.g. roads, parking areas, and rooftops), larger quantities of water quickly leave the watershed and drastically reduce the amount of water that seeps into the ground to replenish the groundwater.

If there is not enough water stored in the ground ~~that can be being~~ slowly released back into streams ~~during~~ the dry months of summer, water temperatures become too high to support fish and fish can become isolated ~~ed~~ in small pools. Too much water in the winter causes unnaturally swift currents that can erode stream banks and scour stream channels, damaging fragile fish habitat.

*Policy SL-4.2 Prevent impacts to water quality associated with septic systems.*

Most of the residential buildings directly adjacent to Lake Tapps, within the City, are connected to the sanitary sewer system. However, there are pockets of residential development within the vicinity of Lake Tapps that still utilize septic systems. The City adopted a *Septic System Abatement Master Plan* in May of 2012 in order to move these pockets onto the City's sewer system.

*Policy SL-4.3: Support public education efforts to reduce the use of pesticides and fertilizers in order to protect and improve water quality.*

The shoreline adjacent to Lake Tapps is dominated by lawns maintained with chemical fertilizers, herbicides, and pesticides which can have a negative impact on water quality. Fertilizers and herbicides can affect aquatic vegetation communities by stimulating overgrowth of some plant species and suppressing growth of other species. Encouraging natural yard care practices can help to reduce chemical contaminants from entering Lake Tapps, which is ultimately discharged back to the White River. The City has also implemented development incentives for upland property owners to use during development or re-development that offer benefits for choosing to add water quality features as a part of their development projects.

### 3.4 SHORELINE VEGETATION CONSERVATION PROTECTION AND INCENTIVES

**Goal SL-5: Preserve, protect, and restore native shoreline vegetation.**

Vegetation within the shoreline environment is essential for fish and wildlife habitat. Vegetation helps to support soil stability, reduce erosion, moderate temperature, produce oxygen, and absorb significant amounts of water, thereby reducing runoff and flooding.

*Policy SL-5.1: New developments or substantial redevelopments along Lake Tapps should preserve and restore shoreline vegetation.*

Lake Tapps Reservoir has a scarcity of emergent aquatic and shoreline vegetation due to the amount of shoreline armoring and the annual water level drawdowns.<sup>12</sup> Therefore, the City's efforts must primarily focus on restoration.



*Policy SL-5.2: Preserve the existing native shoreline vegetation around Fennel Creek.*

Fennel Creek is a high value riparian corridor having multiple vegetation layers with a predominance of native plant species providing high quality habitat for wildlife species.<sup>13</sup> Preserving the existing natural character and vegetative features of the shoreline areas adjacent to Fennel Creek is an important component of protecting the City's remaining undisturbed natural habitat areas and water quality for Fennel Creek generally.

*Policy SL-5.3: Minimize tree clearing and thinning activities along the shoreline and require mitigation for trees that are removed.*

Unnecessary tree removal or topping for the purposes of creating views should be prohibited. Limited thinning of trees to enhance views or for maintenance for health and vigor of the tree may be appropriate in certain circumstances, provided that this activity does not adversely impact tree health and/or ecological functions.

*Policy SL-5.4: Work with Cascade Water Alliance to provide outreach and education materials to lakeside property owners about the importance and role of shoreline vegetation.*

The City should work with CWA to offer shoreline property owners workshops or other materials addressing invasive species, erosion control, and natural yard care practices.

*Policy SL-5.5: Work with Cascade Water Alliance regarding the management of noxious aquatic vegetation to ensure the use of a mixture of control methods with emphasis the most environmentally sensitive methods.*

Noxious weeds are non-native invasive plants that when established are highly destructive, competitive, and difficult to control. These plants have been introduced intentionally or unintentionally by human actions and typically have no natural enemies. As a result, these plants can often multiply rapidly.

The most common invasive species impacting Lake Tapps is Eurasian Water Milfoil which is an aquatic plant that lowers dissolved oxygen, increases pH, displaces native aquatic plants, and increases water temperature. In order to address the milfoil present in Lake Tapps, CWA developed the *Lake Tapps Integrated Aquatic Vegetation Management Plan* (2010) which calls for a combination of hand-pulling, spot herbicides applications, twice annual monitoring, mapping, and the winter drawdown as part of a long-term strategy for the eradication of milfoil.<sup>14</sup>

### 3.5 ARCHAEOLOGICAL, HISTORIC, AND CULTURAL RESOURCES

**Goal SL-6: Identify, protect, preserve, and restore important archeological, historical, and cultural sites located in the shoreline area.**

The plateau on which Bonney Lake sits has a long history, dating back to trails used by Native Americans traveling between Puget Sound and the Yakima territory east of Mt. Rainier. The plateau also contains



many historic resources related to the Naches Trail which brought settlers over the Cascades to western Washington.

*Policy SL-6.1: Prevent destruction or damage to historic, cultural, scientific or educational resources located along the shoreline.*

Steps should be taken to identify and preserve archaeological, historic, and cultural resources that exist along the City's shorelines. The City should work with property owners and federal, state, and tribal governments to preserve historical, cultural, and archaeological resources in advance of planned development. Proposed development should be designed and operated carried out in a way that is to be compatible with the continued protection of the historic, cultural, and archaeological resources.

## 4. SHORELINE USES AND DEVELOPMENTS

### 4.1 GENERAL

**Goal SL-7: Maintain and improve ecological functions by locating, designing, and managing shoreline uses to prevent significant adverse impacts and, where possible, restore degraded water quality, fish and wildlife habits, and ecological functions.**

*Policy SL-7.1: The City should periodically review conditions along the shoreline and conduct appropriate analysis to determine whether or not other actions are necessary to ensure no net loss of ecological functions, protect human health and safety, upgrade the visual qualities, and enhance residential and recreational uses on the City's shorelines in relation to the established baseline conditions.*

Specific issues to address in such evaluations include, but are not limited to: water quality, conservation of aquatic and shoreline vegetation, control of noxious weeds, the visual character of the shoreline as a result of new residential development, and shoreline stabilization measures.

*Policy SL-7.2: The City should establish development regulations that avoid, minimize, and mitigate impacts to the ecological functions association with allowed shoreline uses.*

In deciding whether to allow uses and development activities in shoreline areas, the potential adverse impacts should be considered and avoided, where possible. This can be done by carefully selecting allowed uses, providing policies and standards to prevent or minimize adverse impacts, and carefully reviewing development proposals to prevent or minimize adverse impacts.

*Policy SL-7.3: Provide adequate vegetative conservation areas to protect natural features, ensure no net loss, and improve ecological functions.*

Natural shoreline vegetative buffers perform a number of significant functions including reducing water temperature, filtering sediments and other contaminants, reducing nutrient loads to lakes, stabilizing shoreline soils, providing wildlife habitat, maintaining and protecting fish habitats, and forming aquatic food webs.



*Policy SL-7.4: Limit parking facilities within the shoreline area.*

Facilities providing public or private parking should only be permitted within the shoreline area to support water-oriented uses. Where feasible, parking for shoreline uses should be provided in areas outside of the shoreline jurisdiction. Where allowed within the shoreline jurisdiction, parking uses should be located as far landward as is feasible to ensure that contaminated runoff from pollution generating surfaces is minimized, and that pollutant-laden runoff is adequately treated and limited to the greatest extent possible.

*Policy SL-7.5: Minimize the aesthetic impacts of parking facilities.*

Parking areas should be placed, screened, and landscaped to mitigate the aesthetic impacts.

*Policy SL-7.6: Limit outdoor lighting levels in the shoreline to the minimum necessary to support water-oriented uses.*

Artificial lighting can be used for many different purposes along the waterfront (e.g. to aid in nighttime activities, security, or simply to make a property more attractive at night). However, the shoreline area is vulnerable to impacts of light and glare by interrupting the opportunity to enjoy the night sky, impacting views and privacy, and affecting the fish and wildlife habitat. To protect the scenic value, views, and fish and wildlife habitat, shoreline development should balance the ability to see at night with the need to preserve the scenic and natural qualities of the shoreline.

*Policy SL-7.7: Signs should not block or otherwise interfere with public visual access to the water or shorelands.*

Signs should be designed and placed so that they are compatible with the aesthetic qualities of the existing shoreline areas, and the adjacent land and water uses.

## 4.2 RESIDENTIAL

**Goal SL-8: Protected private property rights while ensuring no net loss of existing ecological functions and, where feasible, restoring natural features along the shoreline.**

At the time the SMA was passed, tThe Legislature recognized that many much of the shorelines of the state and the adjacent uplands are in private ownership, and that while coordinated planning was necessary to protect the public interest associated with the shorelines; it was just as important to protect private property rights.<sup>15</sup> Therefore, in in maintaining establishing and implementing the SMP, the City must also carefully consider public and private interests property rights as well as in balance with the long term public costs and benefits. The City should must ensure that regulatory and administrative actions do not unconstitutionally infringe upon private property rights, while also ensuring a no-net loss of ecological functions.

Residential development around Lake Tapps began in the 1950's when the area was sold to the Lake Tapps Development Company. Often over the intervening years between then and now, minor developments were undertaken legally within the shoreline jurisdiction that did not require permits, reviews, or approvals from the City. The aggregate total of both permitted and unpermitted development that was

in place during the City's SMP update that concluded in 2014 contributed to the baseline conditions by which 'no net loss' of ecological functions is judged. Today, approximately 201 acres or 96% of Lake Tapps' shoreline is privately owned and zoned for ~~either single family or multifamily~~ residential development, of which 191 acres is already developed with ~~single family~~ residential homes.

There is no existing or planned residential development within the shoreline area of Fennel Creek.

*Policy SL-8.1: Continue to permit ~~single family residence and normal appurtenance residential development and re-development~~ in a manner that will result in ~~a no~~-net loss of ecological function.*

Single-family residences are identified as a preferred use when developed in a manner that controls pollution and prevents damage to the natural environment, pursuant to WAC 173-26-241(3)-(j). With that in mind, the following management policies should guide residential development and re-development within the shoreline area:

- New development should be required to preserve existing shoreline vegetation, control erosion, and protect water quality using best management practices.
- The City should provide development incentives, including reduced shoreline setbacks and flexible impervious surface allowances, to encourage the restoration and establishment of shoreline vegetation.
- Adequate provisions should be made for protection of groundwater supplies, erosion control, stormwater drainage systems, aquatic and wildlife habitat, ecosystem-wide processes, and open space.

## 4.3 RECREATION

**Goal SL-9: Water-oriented recreational activities should be provided to the public along the Lake Tapps and Fennel Creek shorelines.**

Lake Tapps has been used for recreation since its completion in the earlier part of the twentieth century. Continuing to provide recreational opportunities, including which includes both passive activities (e.g. walking, viewing and fishing) and active uses (e.g. swimming, boating, and other outdoor recreation uses), is a critical component of this SMP.





**Figure 8-4: Swimming a Lake Tapps circa 1948 – photographer unknown**

*Policy SL-9.1: Maintain Lake Tapps as a regionally important recreational area.*

While Lake Tapps was originally constructed to act as a reservoir for hydro-electric power, the Lake is now a regionally significant boating destination with nearly 250,000 people visiting each year.

*Policy SL-9.2: Work with all federal, state, local agencies, the tribes, and the community to collaboratively manage and preserve Lake Tapps.*

With its multifaceted history and numerous opportunities for the future, Lake Tapps is one of the region’s greatest resources. Caring for and managing the Lake takes collaboration between several agencies, communities, and jurisdictions which includes and jurisdictional authorities, including but is not limited to the Army Corps of Engineers, Department of Fish and Wildlife, Department of Ecology, the City of Bonney Lake, Pierce County, CWA, the Lake Tapps Community Council (LTCC), the Muckleshoot Indian Tribe and the Puyallup Tribe of Indians, just to name a few.

*Policy SL-9.3: Increase public access and water-oriented recreational opportunities along the shores of Lake Tapps.*

The City’s efforts to increase public access and recreational opportunities should focus on providing water-enjoyment recreational opportunities along the shores of Lake Tapps, by establishing a continuous pedestrian corridor along the water’s edge (Nonmotorized Transportation Plan (NTP) Projects N4 – N5),

constructing missing sidewalks between the City's Downtown and Lake Tapps ~~(NTP Projects N132 – N134)~~, and increasing non-boat trailer parking to facilitate access to the lake's shores for non-boat users.

*Policy SL-9.4: Recreational activities should be designed to avoid, minimize, and mitigate negative impacts on adjoining properties.*

The primary source of negative impacts associated with recreational activities on adjacent property owners is related to boating on Lake Tapps. Over the last several years Lake Tapps has experienced an increase in rafting parties and unfortunately the participants are often engaged in illegal (drug use), immoral (live sex acts, nudity, urinating into the lake, etc.), noisy (music, bullhorns, etc.), ~~and~~ environmentally destructive behavior (throwing objects out of the boats into the lake), and alcohol overconsumption as close as 10 to 15 feet from adjacent homeowners' docks.<sup>16</sup> In order to address these issues, the City should continue to work with CWA, Pierce County, and the LTCC to implement the recommendations of the *Lake Tapps Boat Management Plan* (2005).

*Policy SL-9.5: Ensure that existing and new recreational uses do not adversely impact shoreline ecological functions.*

Recreational facilities have the potential to adversely impact shoreline ecological functions; therefore, recreational uses should be appropriately sited and planned to minimize any resultant impacts.

*Policy SL-9.6: Recreational plans should promote the conservation of Fennel Creek's natural character and ecological functions while expanding passive forms of recreation to facilitate the public's ~~ability~~ opportunity to enjoy the Fennel Creek shoreline areas.*

The City is fortunate to own the undeveloped area around Fennel Creek at Victor Falls. The Fennel Creek corridor provides excellent habitat for birds, amphibians, mammals, and reptiles. The stream reach below Victor Falls is known to support salmonids. Preserving wildlife habitat, water quality, and forested areas is an important aspect of good park resource management. The existence of this natural area offers a variety of opportunities for aesthetic enjoyment and passive low-impact recreational activities.

## 4.4 BOATING FACILITIES

**Goal SL-10: Manage boat launch facilities to avoid or minimize adverse impacts.**

One public boat launch facility (Allan Yorke Park) and two semi-public boat launch facilities (Church Lake and Inlet Island Parks) are located on Lake Tapps within the City. New private boat launches are prohibited throughout the City in the Shoreline Residential SED areas.

*Policy SL-10.1: Maintain the current capacity of Lake Tapps for boating.*

Lake Tapps supports many enjoyable boating activities such as water skiing, sailing, motor boating, and fishing; however, over the years overcrowding of motorized watercraft has become an issue. The Lake typically exceeds the minimum Recreational Boating Standard of one boat per acre of surface water ~~and~~ ~~as a result~~ the development of additional boat launch facilities should be avoided and capacity on the Lake be controlled by limiting the number of available boat trailer parking stalls at the existing public boat launch facilities.<sup>17</sup>



*Policy SL-10.2: Promote use of best management practices to control the introduction of invasive animals and vegetation.*

Boat launch facilities can be a significant source for the introduction of exotic (non-native) animals and plants. Significant steps have been taken at all levels of government and the private sector to reduce the impacts of boating on the aquatic environment. The State Parks and Recreation Commission's boater education program provides technical assistance, signage, and other materials to boat facilities regarding the transportation of exotic species. The City should work cooperatively with state agencies, private boat launch owners, and boat owners to continue to minimize the impacts of boating on the aquatic environment.

## 4.5 OVER WATER STRUCTURES

**Goal SL-11: Minimize impacts to the natural environment and neighboring uses from new or renovated over water structures.**

Over water structures include docks, piers, boat facilities, swimming/diving platforms, inflatable recreational equipment, public access boardwalks, fishing piers, and viewpoints.

*Policy SL-11.1: Limit and reduce the number of over water structures.*

Shared docks and piers are preferred over single-user structures in order to reduce the number and potential long-term impacts of over water structures. New subdivisions and short subdivisions of two (2) or more than two (2) lots and all new multi-family developments of more than two (2) dwelling units should be required to provide shared moorage facilities.

*Policy SL-11.2: Design and locate private over water structures so that they do not interfere with shoreline recreational uses, navigation, or the public's safe use of Lake Tapps.*

Over water structures should be spaced and oriented in a manner that minimizes hazards and obstructions to public navigation rights and corollary rights such as, but not limited to, fishing, swimming, and pleasure boating.

Recreational boaters are also largely unaware of the dangers of open-air carbon monoxide (CO) poisoning, and the boat manufacturing industry has not introduced emission control devices for recreational boats; ~~like similar to~~ catalytic converters on automobiles that can reduce exhaust CO content by greater-more than ninety percent (90%).<sup>18</sup> ~~Therefore~~This is one more reason that; these over water structures should be sufficiently spaced to prevent carbon monoxide CO poisoning or negative impacts on neighbors due to exhaust from idling boats.

*Policy SL-11.3: Design and construct new or renovated over water structures and their accessory components, such as boatlifts and canopies, to minimize impacts on native fish and wildlife and the corresponding habitat.*



Over water structures including those accessory to single-family residences should be sited, designed, and constructed to prevent adverse impacts on water quality and aquatic habitat. ~~Impact minimization measures, which have been identified by state and federal agencies, include, but are not limited to: shared use of piers, reducing or eliminating the number of boathouse, minimizing the size and widths of piers and floats, increasing light transmission through any over water structures, maximizing the height of piers above the water surface, and reducing the overall number and size of pier piles.~~

*Policy SL-11.4: Minimize aesthetic impacts of piers and their accessory components.*

To minimize aesthetic impacts, these structures should be made of non-reflective materials and lighting should be limited to the amount necessary to find these structures at night and focused downward and away from the surface of Lake Tapps.

## 4.6 IN-STREAM STRUCTURES

**Goal SL-12: Limit in-stream structures to those needed to protect, preserve and restore ecosystem-wide functions.**

*Policy SL-12.1: In-stream structures should be allowed only for the purposes of environmental restoration.*

## 4.7 TRANSPORTATION FACILITIES

**Goal SL-13: Provide for safe and efficient movement of vehicles within the shoreline area while recognizing the unique, fragile, and scenic character of the shoreline area.**

Transportation facilities are those structures and developments that aid in the movement of people, goods, and services: roadways, causeways, bridges, bikeways, trails, sidewalks, and other related facilities.

*Policy SL-13.1: Maintain a roadway network which will efficiently and safely provide for vehicular circulation within the shoreline area.*

The existing vehicular circulation system within Bonney Lake's shoreline area includes West Tapps Highway, Bonney Lake Boulevard, and Church Lake ~~Drive~~ Road, as well as neighborhood access streets and driveways. The City should undertake improvements, as necessary, to address needed safety, capacity, or efficiency improvements.

*Policy SL-13.2: Design transportation improvement projects within the shoreline to avoid, minimize, and mitigate environmental impacts.*

Transportation facilities should be designed to have the least possible negative effect on shoreline ecology/features. When planning transportation facilities, the environmental impacts of the facility need to be evaluated, avoided, minimized, and appropriately mitigated as appropriate.



**Goal SL-14: Provide a robust pedestrian and bicycle circulation system ~~with~~ which provides opportunities for the public to view and enjoy the amenities of the shoreline area.**

*Policy SL-14.1: Provide a public access system that enhances and maintains pedestrian and bicycle infrastructure within the shoreline area.*

The City should work to improve roadways to meet the needs of a broad variety of users including walkers, joggers, and bicyclist, while maintaining the scenic quality of the roadway network.

*Policy SL-14.2: Prioritize the completion of the projects in ~~the Bonney Lake 2035's City's Non-motorized Transportation Plan~~ Community Mobility Element which ~~provide~~ improve and provide multi-modal connections within and to the shoreline area.*

Providing multi-modal public access routes to the shoreline areas of the City for people of all ages and mobility levels is an important priority of the SMA and SMP. The City's "Non-Motorized Transportation" portion of the Community Mobility Element of Bonney Lake 2035 discusses ways that the City's existing conditions, which features a transportation network that is heavily 'auto-centric,' can be adapted to better serve the needs of community members that choose to access the shorelines of the City by non-vehicular methods. The City should consider the community's physical and visual access to the shoreline as it prioritizes the projects found in the Community Mobility Element.

~~Developing public access to the shoreline area has long been a priority of the City. The top priorities in the City's NTP are the construction of the Fennel Creek Trail (Projects N1 — N3) which will ultimately provide a multi-modal trail connecting Allen Yorke Park to Victor Falls; establishment of a continuous pedestrian corridor along the Lake Tapps shoreline (N4 — N5); and construction missing sidewalks providing a pedestrian linkage from the City's Downtown to Lake Tapps (N132 — N134). Since the NTP contemplates the installation of sidewalks on only one side of the street, the City should plan to install sidewalks on the side of the roadway closest to the water.~~

**Commented [JS3]:** This section needs to be completely undated based on the new Mobility Element. The Mobility Element was adopted after the SMP so this language refers to the old non-motorized plan, which is no longer in effect.

## 4.8 UTILITIES

**Goal SL-15: Manage public and private utilities within the shoreline area to ensure that necessary utility services are provided, while protecting and enhancing water quality and the habitat value of the shoreline.**

*Policy SL-15.1: Locate new utilities outside of the shoreline area unless the location is reasonably necessary for the efficient operation of the utility.*

Development of utility facilities for electric power, gas, sewage, water, and communications can create substantial impacts on the landscape and the function of the natural ecosystem. To minimize potential impacts, these facilities should be located outside of the shoreline area, and, in particular, outside of the aquatic environment, where feasible.



If utility facilities must be located in the shoreline, careful planning and design is required to address impacts such as soil disturbance and intrusion on the visual setting. Potential adverse impacts should be minimized through the location, design, and construction techniques. Upon completion of utility installation or maintenance projects, the shoreline area should be restored to pre-project configuration, replanted with native species, and provided with maintenance care until the newly planted vegetation is established.

Alternative energy use such as solar and wind-based energy systems should be encouraged within the shoreline environment, provided that any potential adverse impacts are minimized.

*Policy SL-15.2: Encourage consolidation of utilities within existing rights-of-way or utility corridors.*

In order to minimize the ~~extent of impacts from~~ shoreline modifications, utility facilities should utilize existing transportation rights-of-way and utility corridors whenever practicable; rather than creating new corridors in the shoreline environment.

*Policy SL-15.3: Locate utility facilities and corridors to protect scenic views and prevent impacts to the aesthetic qualities of the shoreline.*

Utility lines and facilities should be located so that they do not obstruct or destroy scenic views. Whenever feasible, these facilities should be placed underground or designed ~~to do minimal damage for minimal~~ visual impact to the aesthetic qualities of the shoreline area.

## 5. SHORELINE MODIFICATIONS

### 5.1 GENERAL

**Goal SL-16: Manage shoreline modifications to avoid, minimize, or mitigate significant adverse impacts.**

*Policy SL-16.1: Assure that shoreline modifications individually and cumulatively do not result in a net loss of ecological functions.*

Accounting for the existing hydrological, vegetative, and habitat conditions within the shoreline surround Lake Tapps, the overall shoreline ecological function is considered low.<sup>19</sup> The City will utilize this determination as a baseline to ensure that there is “no net loss” of ecological functions. In addition, the City will attempt to incentivize ecological improvements (like planting native vegetation) for upland developers and property owners in order to improve site conditions where feasible.

The City also recognizes that the shorelines of the state are among the most valuable of its natural resources and that there is great concern throughout the state relating to the restoration of the shoreline. Through the implementation of the City’s adopted restoration plan, the City will work to improve the overall ecological functions of Lake Tapps.



## 5.2 SHORELINE STABILIZATION

### Goal SL-17: Reduce the use of structural shoreline stabilization measures.

Shoreline stabilization includes actions taken to address erosion impacts to property, dwellings, or essential structures primarily caused by wave action.

*Policy SL-17.1: Structural shoreline stabilization measures should only be used when a need has been demonstrated and ~~that more natural, flexible~~, non-structural methods have been determined to be infeasible.*

Shoreline stabilization should be based on the following hierarchy of preference:

- Nonstructural methods which include building setbacks, erosion and groundwater management, planning, and regulatory measures to avoid the need for structural stabilization.
- Soft structural shoreline stabilization which includes a mix of gravels, cobbles, boulders, logs and native vegetation placed to provide stability in a non-linear, sloping arrangement.
- Hard structural shoreline stabilization which includes concrete, boulders, dimensional lumber or other materials to construct linear, vertical or near-vertical faces (e.g. bulkheads, rip-rap, groins, dikes and similar structures).

*Policy SL-17.2: Shoreline modifications, individually and cumulatively, shall not result in a net loss of ecological functions.*

Where allowed, shoreline stabilization structures should minimize impacts on shoreline hydrology, navigation, habitat, and public access. Shoreline protective structures should be designed for the minimum height and extent necessary to address the identified hazard to an existing structure. As noted above, vegetation and nonstructural solutions should be used rather than structural bank reinforcement; unless these methods are determined to be infeasible, as documented by a geotechnical analysis.

*Policy SL-17.3: Locate and design new development to eliminate the need for new shoreline stabilization measures.*

New shoreline ~~uses development~~ should be located in a manner so that bulkheads and other structural stabilization measures are neither required nor likely to become necessary in the future.

*Policy SL-17.4: Regulatory flexibility or incentives should be developed to encourage shoreline property owners to voluntarily remove bulkheads and plant shoreline vegetation.*

In recent years, many techniques have been developed to provide alternative shoreline protection methods which may employ the use of gravel substrate material, terraces, large flat rocks, shallow pools, logs, and vegetation to prevent erosion and provide an attractive, usable shoreline area. The aim of these techniques is to reduce bank hardening, restore overhanging vegetation, and replace bulkheads with sand beaches and gentle slopes.

## 5.3 FILLING

**Goal SL-18: Ensure that fills, when allowed, either preserve current ecological functions or restore ecological functions of the shoreline.**

*Policy SL-18.1: Limit fills to either ecological restoration or to facilitate water-dependent public access.*

Fill allows for the creation of dry upland areas by the deposition of sand, silt, gravel or other materials. Fill has traditionally been used in the shoreline area to level or expand residential yards and, in many cases, has been associated with armoring of the shoreline. This generally has a negative ecological effect, and as a result, this the use of fill in this manner should be prohibited.

Alternatively, in limited circumstances, fill can also be used as a part of an ecological restoration project, such as beach nourishment, or to facilitate water-dependent uses and public access. This type of activity should be designed and located so there will be no significant ecological impacts and no alteration of local surface water drainage patterns which would result in a hazard to adjacent life, property, and or natural resource systems.

## 5.4 CLEARING AND GRADING

**Goal SL-19: Minimize impacts to ecological functions as a result of clearing and grading activities.**

*Policy SL-19.1: Limit clearing and grading activities in the shoreline area.*

Clearing and grading activities are typically associated with upland development. These activities have the potential to cause erosion, siltation, surface water runoff, habitat damage, and reduce floodwater storage capacity. Therefore, clearing and grading activities should be designed with the objective of maintaining natural species diversity and ensuring that any potential adverse impacts are evaluated, avoided, or minimized, and/or mitigated. Impacts from these activities can should be avoided through proper site planning, construction timing practices, and use of erosion and drainage control methods.

## 5.5 DREDGING

**Goal SL-20: Minimize impacts to ecological functions and aquatic vegetation as a result of dredging activities**

*Policy SL-20.1: Discourage dredging operations, including disposal of dredge materials.*

Dredging operations should be planned and conducted to minimize interference with navigation and adverse impacts to other shoreline uses, properties, and values. When allowed, dredging and dredge material disposal should be done in a manner which avoids or minimizes significant ecological impacts. Impacts that cannot be avoided should be mitigated in a manner that assures no net loss of shoreline ecological function.



## 5.6 SHORELINE RESTORATION AND ECOLOGICAL ENHANCEMENT

**Goal SL-21: Implement the projects, programs, and plans to restore areas that have been degraded or diminished as a result of past activities.**

Restoration planning is an important component of the SMA. Continued improvement of shoreline ecological functions requires a comprehensive watershed approach that combines upland and shoreline projects and programs. The City of Bonney Lake has adopted a restoration plan for the City's shorelines that provides the framework for the community's efforts to restore the degraded portions of the City's shorelines.

*Policy SL-21.1: Include provisions for shoreline vegetation restoration, fish and wildlife habitat enhancement, and low impact development techniques in projects located within the shoreline.*

Shoreline habitat and natural systems enhancement projects include those activities proposed and conducted specifically for the purpose of establishing, restoring, or enhancing habitat in shorelines. Such projects may include shoreline modification actions such as installation of native shoreline vegetation, removal of nonnative or invasive plants, shoreline stabilization, dredging, and filling, provided that the primary purpose of such actions is clearly restoration of the natural character and ecological functions of the shoreline.

*Policy SL-21.2: Minimize impacts from publicly initiated aquatic vegetation management efforts.*

~~The~~ CWA has an obligation to monitor and manage milfoil, which is a noxious, invasive weed ~~and that~~ poses environmental challenges to the ecosystem of Lake Tapps.<sup>20</sup> Aquatic vegetation management efforts ~~could~~ have potential negative impacts relevant to Lake Tapps environment if not conducted responsibly, and therefore approved efforts should be designed to use an approved mix of various methods, with an emphasis on the most environmentally sensitive methods.

## 5.7 PREEXISTING DEVELOPMENT

**Goal SL-22: Provide the opportunity for property owners to legally repair and maintain existing nonconforming development.**

The City understands that development and redevelopment of the properties within the City's shoreline jurisdiction upland of Lake Tapps has been underway for many years. These properties have had houses, docks, driveways, bulkheads, accessory buildings, and other site development features built and re-built over the course of the last 70 years, and permit records and documentation of approvals for those projects are not always available to the City in conducting review, or to the owner of a property in preparing an application. The lack of a reliable, accurate 'paper trail' to verify whether or not development on a site was permitted at a point in time in the past or not can complicate proposals related to normal maintenance and repair of existing structures when it comes time to apply for the necessary permits and approvals.

Policy SL-22.1: Development that was included in the 'no net loss' baseline study and can be demonstrated to have existed at the time the City's comprehensive SMP update was adopted (October 16, 2014) is determined to be conforming for purposes of maintenance and repair of the City's SMP.

As long as the City can determine during a permit application review process that development features on a site were existing as of the date that the comprehensive SMP update became effective (October 16, 2014), the City will consider the development to be "conforming," based on the fact that the development was considered as a part of the baseline against which 'no net loss' of ecological functions is judged.

## 6. SHORELINES OF STATEWIDE SIGNIFICANCE

The SMA designates certain shoreline areas as shorelines of statewide significance, and those shorelines that are so designated includes all natural and artificial lakes with a surface acreage of one thousand acres or more. Within the City of Bonney Lake's jurisdiction, Lake Tapps meets this definition and as such is classified as a shoreline of state-wide significance, which means that Bonney Lake's SMP must regulate the shorelines adjacent to Lake Tapps in a way that is consistent with the requirements of the SMA.

Shorelines of statewide significance are shorelines that major resource from which all people in the state derive benefit and as such all of the people of the State have an interests in the management of these shorelines. Accordingly, the State's SMA and the City's SMP, which together regulate shorelines of statewide significance within the City limits, gives preference to uses and developments that meet the principles outlined below, listed in order of preference:

1. Recognize and protect the statewide interest over local interest.
2. Preserve the natural character of the shoreline.
3. Result in long-term over short-term benefits.
4. Protect the resources and ecology of the shoreline.
5. Increase public access to publicly owned areas of the shoreline.
6. Increase recreational opportunities for the public on the shorelines.
7. Provide for any other element as defined in the Shoreline Management Act deemed appropriate or necessary.

In the implementation of the City's SMP, the public's opportunity to enjoy the physical and aesthetic qualities of natural shorelines of the state shall be preserved to the greatest extent feasible, consistent with the overall best interest of the state and the people generally. To this end, uses shall be preferred that are consistent with control of pollution and prevention of damage to the natural environment, or that are unique to or dependent on use of the state's shorelines. Alteration of the natural condition of the shorelines of the state, in those limited instances when authorized, shall be given priority for single



family residences, parks, boating facilities, and other improvements that will provide an opportunity for substantial numbers of the people to enjoy the shorelines of the state.

Permitted uses in the shorelines of the state shall be designed and conducted in a manner to minimize, insofar as practical, any resultant damage to the ecology and environment of the shoreline areas and interference with the public's use of the water.

**Endnotes:**

- 
- <sup>1</sup> Kramer, A. (1986). *Among the Livewires, 100 Years of Puget Power*. Edmonds, WA: Creative Communications.
  - <sup>2</sup> *ibid.*
  - <sup>3</sup> EnviroIssues. (Spring 2011). *Collaborative Community Plan for Managing Lake Tapps*. Prepared for Cascade Water Alliance, Bellevue, WA.
  - <sup>4</sup> The Cascade Water Alliance is a coalition including the Cities of Bellevue, Issaquah, Kirkland, Redmond, and Tukwila, the Sammamish Plateau Water and Sewer District, and Skyway Water and Sewer District.
  - <sup>5</sup> HDR Engineering, Inc. (January 29, 2010). *DRAFT Environmental Impact Statement: Lake Tapps Reservoir Water Rights and Supply Project*, Figure S-1. Prepared for Cascade Water Alliance, Bellevue, WA.
  - <sup>6</sup> The Watershed Company and Makers. (June 2010). *Final Shoreline Analysis Report for City of Bonney Lake's Shorelines: Lake Tapps Lake Tapps Reservoir and Fennel Creek*, p. 10. Prepared for the City of Bonney Lake Community Development Department, Bonney Lake, WA.
  - <sup>7</sup> ESA Adolphson, Coastal Geologic Service Inc., and Parametrix. (June 2009) *Final Pierce County Shoreline Inventory and Characterization Report*, p. 4-31. Prepared for Pierce County Planning and Land Services, Tacoma, WA
  - <sup>8</sup> The Watershed Company and Makers. (June 2010). *Final Shoreline Analysis Report for City of Bonney Lake's Shorelines: Lake Tapps and Fennel Creek*, Figure 8. Prepared for the City of Bonney Lake Community Development Department, Bonney Lake, WA.
  - <sup>9</sup> *ibid.*
  - <sup>10</sup> HDR Engineering, Inc. (January 29, 2010). *DRAFT Environmental Impact Statement: Lake Tapps Reservoir Water Rights and Supply Project*, p. 8-10. Prepared for Cascade Water Alliance, Bellevue, WA.
  - <sup>11</sup> Foster Wheeler Environmental Corporation. (1999). *Environmental Analysis of the Fennel Creek Corridor*, Pg. 2-75. Prepared for the City of Bonney Lake Community, Bonney Lake, WA.
  - <sup>12</sup> Washington State Department of Fish and Wildlife. (1997). *1997 Lake Tapps Survey: The Warmwater Fish Community of a Lake Tapps Reservoir Managed for Hydropower*, p. 1. Olympia, WA
  - <sup>13</sup> Foster Wheeler Environmental Corporation. (1999). *Environmental Analysis of the Fennel Creek Corridor*, Pg. 2-75. Prepared for the City of Bonney Lake Community, Bonney Lake, WA. .





- 
- <sup>14</sup> Tetra Tech. (2010). *Lake Tapps Lake Tapps Reservoir Integrated Aquatic Vegetation Management Plan*, p. iii. Prepared for Cascade Water Alliance, Bellevue, WA.
- <sup>15</sup> RCW 90.58.010
- <sup>16</sup> Pierce County Planning and Land Services. (2005). *Lake Tapps Lake Tapps Reservoir Boat Management Plan*, p. 24. Tacoma, WA.
- <sup>17</sup> Pierce County Planning and Land Services. (2005). *Lake Tapps Lake Tapps Reservoir Boat Management Plan*. Tacoma, WA. and EnviroIssues. (Spring 2011) *Collaborative Community Plan for Managing Lake Tapps*. Prepared for Cascade Water Alliance, Bellevue, WA.
- <sup>18</sup> Pierce County Planning and Land Services. (2005). *Lake Tapps Lake Tapps Reservoir Boat Management Plan*, pgs. 13-14. Tacoma, WA.
- <sup>19</sup> The Watershed Company and Makers. (June 2010). *Final Shoreline Analysis Report for City of Bonney Lake's Shorelines: Lake Tapps Lake Tapps Reservoir and Fennel Creek*, Table 3 and p. 22. Prepared for the City of Bonney Lake Community Development Department, Bonney Lake, WA.
- <sup>20</sup> EnviroIssues. (Spring 2011) *Collaborative Community Plan for Managing Lake Tapps*, p. 22. Prepared for Cascade Water Alliance, Bellevue, WA.



*This Page Intentionally Left Blank*

**ATTACHMENT C**



**Shoreline Master Program**

**Map Legend**

**Environmental Designations**

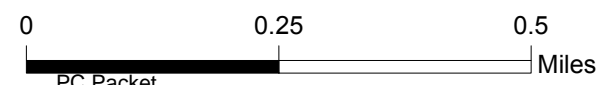
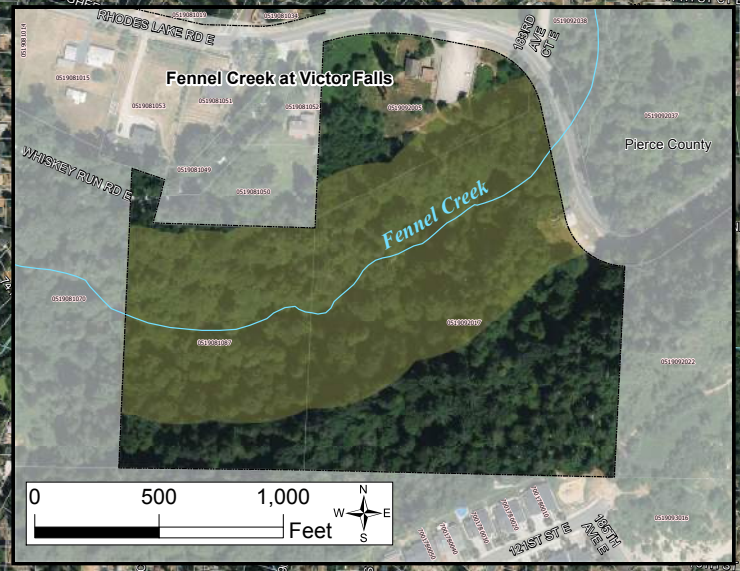
- Residential
- Multifamily
- Park
- Aquatic
- Fennel Creek Tributaries
- Tax Parcels
- Bonney Lake City Limits

**Inset\***

**Environmental Designations**

- Natural
- Fennel Creek
- Tax Parcels
- Bonney Lake City Limits

\* Inset is parcel # 0519092017  
 The map features are approximate and are intended only to provide an indication of said feature. Additional areas that have not been mapped may be present. This is not a survey. Orthophotos and other data may not align. The County assumes no liability for variations ascertained by actual survey. ALL DATA IS EXPRESSLY PROVIDED 'AS IS' AND 'WITH ALL FAULTS'. The County makes no warranty of fitness for a particular purpose.



*This Page Intentionally Left Blank*

## Public Comment Summary: Shoreline Master Program Update

**ALL COMMENTS November 1, 2018 – July 30, 2019**

*Prepared by N. Schildmeyer, City of Bonney Lake, July30, 2019*

Comment Number	Commenter	Comment	City Response
<b>Written Comments Received at Public Meeting [Nov. 1, 2018]</b>			
1	Anonymous #1	Docks/bulkheads should be able to be repaired/replaced if they existed prior to 2014.	Existing shoreline stabilization structures (bulkheads) that existed prior to the comprehensive SMP update in 2014 may currently be repaired or replaced, subject to the provisions of BLMC 16.54.020.E. The proposed changes that are a part of this update related to nonconforming development are intended to qualify docks that were in existence in their current configuration prior to 2014 to be repaired and replaced as ‘conforming’ developments.
2	Anonymous #1	Grandfather any Impervious surface, non-occupied structure (garage, Etc) that existed prior to 2008 (same time period as adverse possession)	It is unclear what is meant by “same time period as adverse possession” in this context, but the changes proposed to the nonconforming section of the existing SMP (BLMC 16.56.150) should aid in legally maintaining and repairing existing structures, and the permitting that is required for such work to move forward.
3	Anonymous #1	Do not include anything not mandated by the state.	Noted.
4	Anonymous #2	Jet ski launching rails seem reasonable...	Noted. The City has proposed to distinguish that a prohibition will be limited to permanently-installed launching rails. Property owners that use temporary, non-permeant launching rails that do not involve new development would not be in violation of the code under the proposed regulations.
5	Anonymous #2	We want to work with you. Try to change the overall relationship yet still use common care & sensible approach while deciding to enforce codes. After all, we all live together in the same Community. Thanks Nate!	Noted.

Comment Number	Commenter	Comment	City Response
6	Anonymous #3	# of boat lifts More flexible dock design Use of launch rails  More open code wording	Noted.
7	Anonymous #4	It is imperative to maintain our property values, and thus the tax basis benefiting the City through tax revenue-	Noted.
8	Anonymous #4	That we make the code in re-write much simpler and user friendly for homeowners to improve their properties, and thus values.\$	The City has attempted to simplify and clarify code sections that were previously found to be confusing in this update, and to provide incentive options to property owners for improving their p
9	Anonymous #4	The city and the homeowners should be harmonious in their desires for the properties!	Noted.
10	Anonymous #4	Need to simplify the shoreline exemption process to allow normal and necessary maintenance without a permit and more flexible dock codes.	Noted. The shoreline exemption process has already been made comparatively simple and inexpensive when compared to other jurisdictions; however, state law and the BLMC specify that development that is exempt from the shoreline permit requirements per WAC 173-27-040 and BLMC 16.58.020.H receive a written letter of exemption in order to commence with exempted activities. Simplified dock requirements are a part of the proposed changes.

Comment Number	Commenter	Comment	City Response
11	Anonymous #5	Change 40% imp	<p>Even though no change in that total allowed impervious surface coverage limit is proposed, the proposed changes include incentives for upland property owners to use additional area owned by Cascade Water Alliance (CWA) in calculating the allowed 40% impervious total for their lot. With a written agreement from CWA, property owners can agree to provide and maintain native vegetation planting that will help improve water quality in the Lake per the requirements of BLMC 16.56.050 and 16.56.060 in exchange for using CWA's upland property as part of the total lot area on which the 40% coverage limit is calculated. In this incentive scenario, all impervious surfaces will be installed on the private property owner's property and will meet all requirements related to setbacks and locations.</p> <p>Since the 40% impervious surface coverage limit found in BLMC 16.40.030.F is based on the assessed existing conditions that form the basis for the "no net loss" standard, the City is unable to justify any increase in the aggregate amount of impervious surfaces allowed on residential lots within the shoreline jurisdiction.</p>
12	Anonymous #6	More Jet Ski Lifts	There is no proposal to allow for more than the two (2) jet ski lifts per residence that are currently allowed.
13	Troy Sterrenburg	<ul style="list-style-type: none"> <li>*Change Dock Regulations (see bullet points)</li> <li>* temporary docks allowed.</li> <li>* remove layout restrictions. Change to distance away from shore and square footage.</li> </ul>	The City has proposed to lift the prohibition on temporary floating docks, provided that they are removed seasonally during periods of water 'draw-down,' do not exceed the dimensional limits of permeant dock features, and do not impede watercraft navigation on Lake Tapps. The layout restrictions have also been relaxed as suggested here.

Comment Number	Commenter	Comment	City Response
14	Troy Sterrenburg	<ul style="list-style-type: none"> <li>* Impervious Surface</li> <li>*city approved list of surfaces approved as pervious</li> <li>*when required hammerheads or turnarounds are required for property, reduce that square footage of impervious surface from % calculations.</li> </ul>	The City’s current SMP includes a section in BLMC 16.56.080 entitled “Methodology for calculating impervious area” that specifies some materials and how imperviousness is calculated. In cases not addressed, the City has allowed the project proponent and/or property owner to provide analysis from a civil engineer or qualified professional that establishes imperviousness of surfaces. The City’s regulations for allowing access to lots in smaller short plats were previously revised to require that two-, three-, or four-lot short plats provide an access tract as opposed to providing shared access easements where the shared, paved accessway counts towards each lot’s impervious surface coverage.
15	Troy Sterrenburg	<ul style="list-style-type: none"> <li>* shoreline exemption permit</li> <li>* change re-submittal fee to same or less as original permit.</li> </ul>	No change to the fees specified in BLMC 3.68 related to application fees or resubmittal fee requirements is being considered at this time.
16	Anne Shields	Please consider reducing the home owners requirements for runoff to match homes adjacent who are not waterfront. If homes across the street are only 60% capable non impervious than we should split the difference to make it at least 50% for all.	See the answer provided to comment #11 of this document. There is no proposal to increase the 40% impervious surface coverage requirement for each lot, except through the proposed planting incentive. The City is not proposing changes to the impervious surface coverage requirements outside of the shoreline jurisdiction at this time.
17	Anonymous #7	Law—if this is requirement for legal compliancy then it should not apply to just the City of Bonney Lake. I disagree with this approach & do not support the changes.	Noted.
18	Anonymous #7	Cost to homeowners—Applying this change will financially impact the homeowner to get permits, cause depreciation on the value of the property & cause legal liability to get things fixed in a timely manner. I do <u>not</u> support this recommended change. It adds 0 value – the city owns the “gravel driveway” on my property so if this change is approved they would not be compliant.	Noted.
19	Anonymous #8	* The impervious surface needs to be changed	Noted. See the explanation provided to comment #11.
20	Anonymous #8	* It is completely unfair to make someone remove a structure if there were no permits→If I bought my property 20 years ago then I shouldn’t be punished about structures that were already present before I owned it.—It is completely unfair.	Under the proposed update, more of the development that was in existence under the pre-2014 SMP regulations is anticipated to be considered “conforming,” and would be eligible to remain in place, be repaired, and be replaced legally.



Comment Number	Commenter	Comment	City Response
		→These should be Grandfathered	
21	Anonymous #8	* As a waterfront property owner I pay very high taxes.	Noted.
22	Anonymous #8	* These regulations are devaluing my property and it is unfair.	Noted.
23	Anonymous #8	1. increase the % of allowable impervious surface	See the response provided to comment #11 in this document.
24	Anonymous #8	2. Grandfather in any structures that do not have permits if they were built prior to the current property owner buy the property	The updates to the SMP nonconforming regulations in BLMC 16.56.150 should help in maintaining structures, and is expected to aid homeowners and the City in permitting previously-unpermitted structures and development as an after-the-fact permit process.
25	Anonymous #8	3. Stop taking away our rights to do things on our property.	More development options should be available to property owners under the proposed changes, such as greater flexibility in the design criteria for new and replacement docks, and the additional incentives for increased impervious surface coverage and boathouse construction.
<b>Email Comments Received [November 9, 2018—July 30, 2019]</b>			
27	Troy Greenfield, November 9, 2018	Kelly and I attended the meeting last Thursday and were very disappointed by the level of discourse assumed by the residents. We are new to the area and do not know many of our soon-to-be neighbors. We really appreciated your thoughtful and measured approach, particularly despite some of the uninformed and at times rude statements from the audience. We chose to leave before the meeting ended, partly due to our assessment of the productivity given the focus of the participants and partly because I had to be on a plane very early the next morning. In future meetings, I will take available opportunities to try to steer the discussion down more productive paths from the audience.	Noted.
28	T.C. Richmond (legal council, CWA) – January 14, 2019	For the discussion at your meeting this evening, we note that development and maintenance at Allan Yorke Park will be discussed. We wanted to make sure you were aware of the attached <i>30-year License Agreement</i> issued to Bonney Lake by Cascade Water Alliance in 2011. The processes contained in the <i>License Agreement</i> are in recognition that the Park is situated on Cascade-owned Dike 13. Cascade works with its	The City is well aware of the agreements in place between CWA and the City of Bonney Lake. Maintaining a positive, mutually-beneficial working relationship with CWA is fundamental in effective shoreline regulation—especially in regards to implementation of the incentives being proposed in this update. Without CWA’s agreement and buy-in, those

Comment Number	Commenter	Comment	City Response
		dam safety engineers and the State Dam Safety Office to maintain dike integrity; and dam safety issues guide the process for development on Dike 13 that is set out in the License. Cascade and Bonney Lake staffs have worked well under this <i>License Agreement</i> . Cascade is not advocating that you necessarily reference the dike or license in the SMP update (although you may decide to do that); however, we thought you might want to mention this to the Parks Commission.	planting incentives will not be feasible for any upland property owner to use.
29	T.C. Richmond, <i>January 14, 2019</i>	We note that the discussion at the Wednesday meeting will be a broader of the SMP update. We hope to attend that meeting. Besides the park/dike issues discussed above, Cascade’s interests are primarily related to water quality, Cascade’s issuance of licenses for structures and uses on the Cascade-owned lake bed under its code, and Cascade’s operations and maintenance at the reservoir. On the last issue, the attached 6/29/2017 Application for 5-year Shoreline Exemption includes a chart of the O&M activities Cascade engages in. Jason Sullivan approved the Shoreline Exemption on 7/13/2017.	City staff had a phone discussion with the commenter, Ms. Richmond, and her colleague from CWA Michael Gagliardo, prior to the meeting referenced in this comment to discuss the City’s strategies and plans for the SMP update. As Ms. Richmond mentions in comment #30 (below), we discussed the “intersection” of the City’s interests and CWA’s interests, and concluded that the regulatory changes would serve both CWA’s interests in regards to ensuring license agreements with property owners, and our shared interests in regards to ease of maintenance and overall water quality in the Lake. Ms. Richmond and Mr. Gagliardo signaled that CWA would be amenable to the incentives for vegetation planting that the City is proposing.
30	T.C. Richmond, <i>January 18, 2019</i>	To borrow a popular term, it seems like the “intersection” of Bonney Lake’s baseline requirements, Cascade’s Licenses, and WDFW’s HPA program creates a great opportunity for creative solutions to enhance water quality. We will confer with others at Cascade about our discussion and be back in touch.	See comment response #29 (above)
	Michael Gagliardo (CWA – Director of Planning), <i>April 23, 2019</i>	Cascade has reviewed the proposed amendments to the Bonney Lake SMP, and submit the following comments for your consideration: <ul style="list-style-type: none"> <li>• Please include a definition of “Cascade Water Alliance” in Sec. 16.36.060.</li> <li>• Please include the maximum fill elevation of 543’ for Lake Tapps in a definition of “Ordinary High Water Mark” in Sec. 16.36.180.</li> </ul>	After further discussion, a definition of Cascade Water Alliance was not deemed to be necessary for inclusion. Staff responded to the commenter that, even though the City has no objection to this inclusion, there is really no benefit to such an inclusion to either CWA or the City.  During the 2014 update, City staff pushed to have the OHWM defined as is suggested here, but the Department of Ecology would not approve such a definition, and referred back to the definitions and documentation on Ecology’s website and in

Comment Number	Commenter	Comment	City Response
		<ul style="list-style-type: none"> <li>• Please revise Sec. 16.48.040 to clarify that the written authorization from CWA shall be provided to the City with the permit application. The written authorization will be a license from CWA for use of its property.</li> <li>• Please revise Sec. 16.56.050(B) to clarify that the covenant that is recorded with the vegetation planting plan will require the property owner to maintain the shoreline vegetation in perpetuity or until the additional impervious surface and/or upland boathouse is removed. Enforcement of the covenant shall be the responsibility of the City.</li> <li>• CWA requests that the City provide an annual report of all properties that have used the Shoreline Vegetation Incentives provisions of the BLMC. The report would include the property address, parcel number, owner name and current status of the landscaping that was used for the incentive. The status would provide an update regarding maintenance and monitoring activities, as well as any issues that were identified during the reporting period.</li> </ul>	<p>the RCW. The City adopted the State’s definition for OHWM by reference in 2014, which is not proposed to be changed in this update.</p> <p>The City confirmed for CWA that the City does not expect them to act in any regulatory capacity to ensure that vegetation planted on their property, subject to an approval issued by the City to an upland property owner, is not their responsibility to maintain. The City expects to act as the regulatory authority in enforcing covenants and conditions on approvals that are issued by the City, and any breach of covenants and/or conditions of approvals issued to upland property owners will be an issue between the City and the private party in violation. Staff clarified that CWA’s involvement is only to provide authorization (in the form of a license agreement) to the upland property owner to use portions of CWA’s property in seeking City approval for their upland development proposal.</p> <p>Outside of the regulatory changes proposed here, the City is considering how to provide CWA with the requested data. CWA, since they have the ability to approve or deny license agreements with upland property owners, can also provide some of the data they requested for themselves in regards to issuance of agreements.</p>
	<p>Sharon Quick, July 19, 2019</p>	<p>In the Draft Ordinance D 19-08 SMP Update under section 35, 16.56.060, E, it states:</p> <p>A “snag” or wildlife tree shall be created from the hazard tree. If a qualified arborist determines that the tree cannot or should not be used for as “snag” or wildlife tree, the tree may be removed from the vegetation conservation area and replacements planted within the vegetative conservation area using native tree species at a 3:1 replacement ratio. If a snag is created, replacement will be at a 1:1 ratio.</p> <p>I am not sure how a 3:1 replacement ratio can be required if an area is already dense with trees and/or shrubs. There needs to</p>	<p>As noted by the commenter, one of the primary changes included in this update is to incentivize new plantings in areas that are deficient in native vegetation along the water’s edge. There are very few areas along the Lake Tapps shoreline that exceed the required density ratios found in BLMC 16.56.050.C, either as currently written or as proposed with changes, but if vegetation were demonstrated to be too dense within the vegetation conservation area to accommodate the required replacement ratio in the proposed code section, the City would certainly consider approving the replanting to be provided outside of the vegetation conservation zone as well. Nothing in the proposed code would preclude the City from considering that replacement strategy, if it was demonstrated</p>

Comment Number	Commenter	Comment	City Response
		<p>be space between trees for their health. Since the density of trees under general planting regulations in section 34 (16.56.090.A.1) is quantified as "A minimum of one native tree per 300 square feet of required vegetated area shall be provided or preserved", it seems that it should be quantified similarly in section 35. It seems that incentives or suggestions might be a better solution for increasing tree density in sparse areas, than requiring a certain number that may not be feasible in some areas.</p>	<p>by a qualified professional that vegetation was too dense to allow for effective replanting.</p>
	<p>Sharon Quick, <i>July 19, 2019</i></p>	<p>Nate, I ran this by a master gardener friend of mine, and she had an additional thought about snags. I will incorporate it into what I sent previously, so you can delete the prior email.</p> <p>In the Draft Ordinance D 19-08 SMP Update under section 35, 16.56.060, E, it states:</p> <p>A “snag” or wildlife tree shall be created from the hazard tree. If a qualified arborist determines that the tree cannot or should not be used for as “snag” or wildlife tree, the tree may be removed from the vegetation conservation area and replacements planted within the vegetative conservation area using native tree species at a 3:1 replacement ratio. If a snag is created, replacement will be at a 1:1 ratio.</p> <p>I am not sure how a 3:1 replacement ratio can be required if an area is already dense with trees and/or shrubs. There needs to be space between trees for their health. Since the density of trees under general planting regulations in section 34 (16.56.090.A.1) is quantified as "A minimum of one native tree per 300 square feet of required vegetated area shall be provided or preserved", it seems that it should be quantified similarly in section 35. If the area already has adequate or dense trees/shrubs, a new tree may need to replace the hazard tree in the same spot. Leaving a snag close to the new tree could compromise the health of the new tree. It seems that incentives or suggestions might be a better solution for increasing tree density in sparse areas, than requiring a certain</p>	<p>The City’s primary opportunity for improving the ecological health of Lake Tapps is to replace grassy lawns within the designated vegetation conservation area with multi-story, diverse plant communities of native vegetation. The new 3:1 replacement requirement would relieve property owners of any requirements for a site specific ecological analysis for removal of a hazard tree, while protecting the ecological functions within the vegetation conservation area in regards to water quality protection.</p>

Comment Number	Commenter	Comment	City Response
		<p>replacement number or requiring that snags be left when that may not be feasible in some areas.</p> <p>Lake Tapps is primarily residential private property on a man-made reservoir, not public land with fragile ecosystems. Fewer specific requirements makes more sense, as people have different tastes in landscaping, and being comfortable on their own property is good for their mental health and the health of the community.</p> <p>Suggested rewording for E. 1.b:</p> <p>If a hazard tree is removed in an area where the density of trees is already at least one per 300 square feet, the tree should be replaced at a 1:1 ratio, unless a qualified arborist determines that the density of trees and shrubs is already too great and the tree should not be replaced. If the hazard tree is in an area where the density of trees is less than one per 300 square feet, options are: (a) leave a snag and replace the tree at a 1:1 ratio; (b) not leave a snag and replace the tree at a ratio to provide a minimum of one tree per 300 square feet, with the provision that no greater than a 3:1 replacement ratio is required even if the total number of trees in that area is less than one per 300 square feet.</p>	

*This Page Intentionally Left Blank*



# Memo

**Date** : August 7, 2019  
**To** : Mayor and City Council  
**From** : Grant Sulham, Planning Commission Chair  
**Re** : **Ordinance D19-08 – Shoreline Master Program Update.**

---

On August 7, 2019, the Planning Commission conducted a Public Hearing on Ordinance D19-08, which amends the City’s Shoreline Master Program. The Planning Commission voted 7-0-0 to recommend that the City Council adopt Ordinance D19-08.

As required by BLMC 14.140.100, the Planning Commission adopts the following findings of fact in support of its recommendation:

1. On August 7, 2019, the City of Bonney Lake Planning Commission held a public hearing to consider the amendments to the City’s development regulations and comprehensive plan contained in this Ordinance, as required by BLMC 14.140.080 and WAC 173-26-104(2)(c)(ii).
2. The City complied with all applicable notice, timing and comment provisions in scheduling and carrying out the above-referenced hearing.
3. At the above-referenced hearing, the City of Bonney Lake Planning Commission determined that the amendments to the City’s development code contained in this Ordinance are consistent with other BLMC development regulations, the Comprehensive Plan, and with the laws of the State of Washington.
4. Under the State Environmental Policy Act (SEPA) the adoption of this Ordinance is a non-project action as defined by WAC 197-11-704(2)(b), and Public Services Director adopted a previously-issued Determination of Non-significance on April 22, 2019.
5. Pursuant to RCW 36.70A.106(3)(b) the City provided notice to the Department of Commerce regarding the City’s intent to adopted Ordinance D19-08. The Department of Commerce review period concluded on June 21, 2019.

*This Page Intentionally Left Blank*



# *Bonney Lake Planning Commission*

## *Future Agendas*

### **2019 – Q1**

#### **January 16, 2019 (COMPLETED)**

- SMP Periodic Update
- WPLUP Phase III – Title 18 Update
- 2019 – 2020 Work Plan

#### **February 6, 2019 (COMPLETED)**

- WPLUP Phase III – Title 18 Update
- Critical Areas Code Update

#### **February 20, 2019 (COMPLETED)**

- WPLUP Phase III – Title 18 Update

#### **March 6, 2019 (COMPLETED)**

- Critical Areas Code Update

#### **March 20, 2019 (COMPLETED)**

- *City Council/Planning Commission Joint Meeting*
- **PUBLIC HEARING – Critical Areas Code Update**

### **2019 – Q2**

#### **April 3, 2019 (COMPLETED)**

- District Mapping
- School Impact Fees

#### **April 17, 2019 (COMPLETED)**

- **PUBLIC HEARING – School Impact Fees**

**May 1, 2019 – CANCELLED (Planning Association of Washington Conference)**

#### **May 15, 2019 (COMPLETED)**

- Shoreline Master Plan Periodic Update

**June 5, 2019(CANCELED)**

- ~~Environmental Stewardship Element Update~~
- ~~**PUBLIC HEARING – Shoreline Master Plan Periodic Update**~~

**June 19, 2019 (CANCELED)**

- ~~Landscaping and Clearing Code Update~~

### **2019 – Q3**

**July 3, 2018 – CANCELLED**

**July 17, 2018 – CANCELLED**

**August 7, 2019**

- **PUBLIC HEARING – Shoreline Master Plan Periodic Update**
- Vision 2050 Briefing

**August 21, 2019**

- VISION 2050 Comments

**September 4, 2019 – CANCELLED**

**September 18, 2018**

- Environmental Stewardship Element.
- Landscaping Code

### **2019 – Q4**

**October 2, 2019**

- **PUBLIC HEARING – 2019 Comprehensive Plan Amendments (Environmental Stewardship Element)**
- Clearing Code

**October 16, 2018**

- **Public Hearing – Landscaping Code**
- **Public Hearing – Clearing Code**

**November 6, 2019**

- WPLUP Phase III

**November 20, 2019 – CANCELLED**

**December 4, 2019**

- Title 14 Review

**December 18, 2019 – CANCELLED**

*This Page Intentionally Left Blank*



# Planning Commission Briefing Memorandum

**Date:** August 1, 2019  
**To:** Planning Commission  
**From:** Jason Sullivan – Planning and Building Supervisor  
**Re:** **VISION 2050**

---

## **PURPOSE:**

The purpose of this memorandum is to facilitate the Planning Commission's discussion related to the VISION 2050. The memorandum provides background on the topic. The Planning Commission will receive an initial briefing on the draft VISION 2050 document.

## **ATTACHMENTS:**

1. Bonney Lake Scoping Comment Letter (March 16, 2018)
2. Resolution 2739
3. Bonney Lake EIS Comment Letter (April 17, 2019)
4. PSRC VISION 2050 Open House Flyer

## **BACKGROUND:**

The Puget Sound Regional Council (PSRC) is the planning agency for the central Puget Sound region, which includes King, Pierce, Snohomish and Kitsap counties. The elected leaders of King, Pierce, Snohomish and Kitsap counties direct the work of PSRC staff.

In 2008, PSRC adopted VISION 2040 to guide transportation planning and funding, economic development, and population and employment growth between 2010 and 2040 consistent with federal and state laws. Over the next two years PSRC staff in coordination with the region's counties, cities and towns, port districts, transit agencies, tribes, and the public will be develop VISION 2050 to guide development from 2020 to 2050.

VISION 2050 will build on the region's existing plan, VISION 2040, to keep the central Puget Sound region healthy and vibrant as the region prepares to add 1.8 million people and 1.2 jobs over the next thirty years. VISION 2050 is an opportunity for the region to work together to address the most pressing challenges that extend beyond the boundaries of any single community. PSRC will engage the public through surveys, workshops held throughout the region, formal comment periods, and input to PSRC's elected board members.

The first step was VISION 2050 and State Environmental Policy Act (SEPA) Scoping process. This process was used to guide the development of VISION 2050 and the associated supplemental EIS. The comment period on the Scoping Document concluded on Monday, March 19, 2018. The comment period provided interested parties the opportunity to provide comments on the regional growth strategy, which serves as the basis for distributing future growth throughout the region; important regional issues should PSRC should focus on during the update; and to identify the impacts and actions associated with this growth that should be evaluated through environmental review process under the SEPA. The City provided comments (Attachment 1) to PSRC during the process.

Following the scoping process, PSRC issued the Draft Supplemental Environmental Impact Statement for VISION 2050 (VISION 2050 DSEIS) on February 28, 2019. PSRC provided a sixty-one (61) day comment period on the VISION 2050 DSEIS which, concluded on Monday, April 29, 2019. At the April 9, 2019 City Council meeting, City staff briefed the City Council on the VISION 2050 DSEIS. This discussion focused on the environmental impacts associated with the three alternative growth strategy identified in the VISION 2050 DSEIS. City staff also briefed the Council on the impacts of each of the alternatives on the City. During the presentation staff discuss a number of concerns, which the staff believe should be convey to PSRC. The City Council concurred and requested that City Administration prepare a comment letter related to those concerns. City Administration prepared a comment letter to express the City's concerns to PSRC and Resolution 2739 demonstrating the City Councils support of the submittal of the comment letter to PSRC.

## **DISCUSSION:**

On July 19, 2019 PSRC released the initial draft of VISION 2050 and will be accepting comments until September 16, 2019. VISION 2050 is available for review on the PSRC Website at the following link: <https://www.psrc.org/vision>. At the August 6<sup>th</sup> Planning Commission Meeting, staff will show a presentation provided by PSRC related to VISION 2050. At the August 21<sup>st</sup> Planning Commission meeting Staff will be presenting a draft comment letter for the Commission's consideration and recommendation. At August 21<sup>st</sup> meeting staff will also ask if there are issues or concerns that Planning Commission believe should be added to the comment letter that will be sent to PSRC. City Council action on the City's comments is scheduled for September 3, 2019.

PSRC will also be holding an open house on August 7<sup>th</sup> starting at 3PM at the Tacoma Main Library located at 1102 Tacoma Avenue S, Tacoma, WA 98402.

March 16, 2018

Puget Sound Regional Council  
Attn: VISION 2050  
1011 Western Avenue  
Suite 500  
Seattle, WA 98104



P.O. Box 7380 • Bonney Lake, WA 98391  
(253) 862-8602

RE: VISION 2050 Scoping

To Whom It May Concern:

The City of Bonney Lake, appreciates the opportunity to provide input the *VISION 2050 Plan and SEPA Scoping Notice* prepared by PSRC to guide the *VISION 2040* update. The City has prepared the following comments for PSRC's consideration as PSRC works to develop *VISION 2050* and prepare the Draft Supplement Environmental Impact Statement (DSEIS) to address the significant environment issues accompanied by the shift towards a more compact urban area:

- The City supports the current strategy of containing urban sprawl and directing future growth to existing urban growth areas, supported by an efficient, multi-modal transportation system, with high capacity transit connecting designated regional and county-wide urban centers.
- In updating VISION 2050, PSRC should reevaluate the regional geographies, which serves as the bases for distributing future growth throughout the region. The City believes that PSRC should consider other factors that cut across municipal boundaries when establishing regional geographies instead of simply relying on a jurisdiction's total employment and population size. Other factors that PSRC should consider include distance from a Metropolitan Center, financial capacity to handle future growth, distance from existing or planned high capacity transit networks, the size of the unincorporated urban growth area (UGA) surrounding a city, willingness to handle future growth within existing incorporated boundaries, and existing and planned regional and countywide centers.
- It preparing VISION 2050, the City believes that it is important PSRC to recognize the significant differences in the regional real estate market and economic forces within each county, and how these forces affect the likelihood for job and population growth.
- Given that transit is critical to the implementation of VISION 2050, PSRC should evaluate the impact and identify practical solutions as the result of the lack of general transit services and proposed high capacity transit in the south and eastern portions of Pierce County as illustrated on the figure labeled Planned Regional Transit System 2040 on page 9 of the scoping document. These practical solutions could include a change in state law regarding how areas within the UGA are added to a transit district. A large portion of the Pierce County's UGA is

---

Justice & Municipal Center:  
9002 Main Street East  
Bonney Lake, WA 98391  
P.O. Box 1862-8538  
08/07/19

Public Safety Building:  
18421 Veterans Memorial Dr E  
Bonney Lake, WA 98391  
Fax (253) 863-2661

Public Works Center:  
19306 Bonney Lake Blvd.  
Bonney Lake, WA 98391  
Fax (253) 826-1921

Senior Center:  
19304 Bonney Lake Blvd.  
Bonney Lake, WA 98391  
Fax (253) 862-4238

not within a local transit district and the current process to join a transit district is hurdle and significantly impacts the ability to provide transit services within the UGA.

- In 2008, PSRC said the growth figures were provided as “guidance,” to be used as a starting point that would likely have to be adjusted over time. However, during the 2015 periodic update process these growth figures were interpreted as growth ceilings for small cities. The City believes that growth targets should be the minimum amount of growth a local jurisdiction should plan for rather than the maximum, which does more to achieve the goals of the Growth Management Act and is consistent with the decision in the Central Puget Sound Growth Management Hearings Board case *West Seattle Defense Fund v. City of Seattle*:

“... allowing a city to plan for even more growth than has been allocated to it by the county bolsters the Act's first two planning goals by encouraging that city to accept in its comprehensive plan as much growth as it determines it can adequately accommodate ...”

- The City request that PSRC evaluate the environmental impacts associated with the loss of the existing tree canopy within the Central Puget Sound Region as more of the land within the UGA is developed to support the expected population and employment growth. The ornamental landscaping associated with new development will not replace the environmental functions associated with the existing tree canopy in the region.
- The built environment significantly affects the public’s health and the way in which the regions plans to address the future growth and increasing urbanization of the Puget Sound Region will impact the region’s physical and mental health. Land-use and transportation decisions influence public health outcomes both through encouraging healthy behaviors and improving environmental qualities (e.g. increasing physical activity; ensuring access to healthy food; improving land, air, and water quality; strengthening the social fabric of a community; providing fair access to livelihood, parks and nature, transportation and housing choices, education, etc.). Therefore, as part of the scope of the DSEIS, PSRC must include and Health Impact Assessment to understand the health implication of the planning decisions that will be made as part of VISION 2050 and identifying appropriate mitigation strategies to address these impacts.
- Since the inception of GMA, local governments have suffered significant reductions in state grants for long range planning efforts. Therefore, any additional planning requirements established by VISION 2050 must acknowledge that cities and counties have insufficient resources to fully address long range planning issues adequately until there is a change to state law to provide a revenue stream for local governments to fund long range planning efforts.
- The City is concerned with the compressed timeline between the adoption of VISION 2050 and the next required periodic update. This will give cities and counties three years to update the Countywide Planning Policies, establish the actual growth targets for cities within each county,



and update their local comprehensive plans. Additionally, the release of new county wide population projections by Office of Financial Management and the decennial census data for the United State Census Bureau in 2022 will significantly add to this complexity within an already compressed plan update timeframe. PSRC should work with the state legislature to delay the next periodic update until 2025 and then establish a ten year cycle instead of the eight year cycle for the periodic update in the Central Puget Sound Region. This would ensure that the planning efforts in the future continue to be synchronized with the update schedules for PSRC and the release of OFM projection and the Federal Census data.

If additional information is needed, please contact the City's staff lead: Jason Sullivan – Planning and Building Supervisor. He can be reached by phone at (253) 447-4355 or by email at [sullivanj@ci.bonney-lake.wa.us](mailto:sullivanj@ci.bonney-lake.wa.us).

Sincerely,

A handwritten signature in black ink, appearing to read "Neil Johnson Jr.", written in a cursive style.

Neil Johnson Jr.  
Mayor  
City of Bonney Lake

Email Copy: Don Morrison – City Administrator  
John P. Vodopich – Public Services Director  
Jason Sullivan – Planning and Building Supervisor

***This Page Intentionally Left Blank***

**RESOLUTION NO. 2739**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, APPROVING COMMENTS RELATED TO THE VISION 2050 DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT**

**WHEREAS**, the Puget Sound Regional Council (PSRC) is in the process of preparing VISION 2050, which is a strategy for how and where the central Puget Sound region should grow; and

**WHEREAS**, the Regional Growth Strategy (RGS), which is at the center of VISION 2050, is PSRC's envisioned plan for the physical development pattern for the Puget Sound region; and

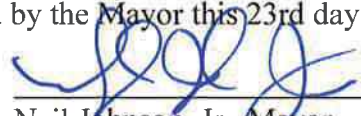
**WHEREAS**, while the City recognizes the benefits and supports a growth pattern that emphasizes compact development, increase transit ridership, and supports the Regional Centers Framework, the City cannot acquiesce its authority or responsibility under the Growth Management Act (GMA) to plan for the actual growth anticipated and the type of development envisioned by City; and

**WHEREAS**, recognizing that the GMA envisions a "bottoms up" approach to planning and not a "top down" approach, the RGS selected must be one which can be reasonably achieved by all jurisdictions;

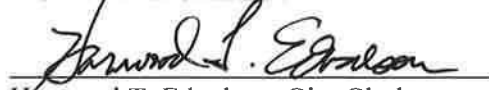
**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON DOES HEREBY RESOLVE AS FOLLOWS:**

The City Council of the City of Bonney Lake concurs with the comments provided in the letter prepared by the City Administration, included as Exhibit A, and supports the submittal of the letter to PSRC.

**PASSED** by the City Council and approved by the Mayor this 23rd day of April, 2019.

  
\_\_\_\_\_  
Neil Johnson, Jr., Mayor

AUTHENTICATED:

  
\_\_\_\_\_  
Harwood T. Edvalson, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Kathleen Haggard, City Attorney

***This Page Intentionally Left Blank***



P.O. Box 7380 • Bonney Lake, WA 98391  
(253) 862-8602

April 17, 2019

Puget Sound Regional Council  
Attn: VISION 2050 Draft SEIS Comment  
1011 Western Avenue, Suite 500  
Seattle, WA 98104-1035

RE: VISION 2050 Draft Supplemental Environmental Impact Statement

To Whom It May Concern:

VISION 2050 has the potential to be an effective regional growth planning document that would provide meaningful guidance to facilitate coordination between the counties and cities in the Puget Sound Region. However, this guidance must be balanced against the latitude given to local jurisdictions under the growth management framework in the state of Washington, which is bottom up approach, not a top down approach, to growth management planning. This bottom up approach to growth management planning is reflected in the Puget Sound Regional Council's (PSRC) 1993 Interlocal Agreement Mission Statement which provides that PSRC will adopt and maintain goals and policies "... **based on local comprehensive plans of jurisdictions within the region.**"

The focus of the Draft Supplemental Environment Impact Statement (DSEIS) is on the Regional Growth Strategy (RGS) – the desired growth pattern within the 4-county region. At the local level, the RGS serves as guidance for the establishment of twenty (20) year population and housing targets. The City recognizes the benefits and supports a growth pattern that emphasizes compact development, supports transit, and the Regional Centers Framework. However, the City cannot acquiesce its authority or responsibility under the Growth Management Act (GMA) to plan for the actual growth anticipated in the City. Growth targets must be based on real-world circumstances and recognize the outside forces that cannot be controlled through local policy (e.g. housing price, housing preference, etc.).

Recognizing the bottom up approach envisioned in the GMA and the desire for a growth pattern that achieves the larger regional objectives, the RGS selected must be one which can be reasonably achieved by all jurisdictions. While the City will work with PSRC and the member jurisdictions to achieved the objectives of the RGS, the City must emphasize that whatever RGS alternative is chosen, it is guidance; not a mandate. PSRC staff has repeatedly stated in various forums that VISION 2050 is intended to provide guidance and will be flexible. The City

---

Justice & Municipal Center:  
9002 Main Street East  
Bonney Lake, WA 98391  
Fax (253) 862-8538

Public Safety Building:  
18421 Veterans Memorial Dr E  
Bonney Lake, WA 98391  
Fax (253) 863-2661

Public Works Center:  
19306 Bonney Lake Blvd.  
Bonney Lake, WA 98391  
Fax (253) 826-1921

Senior Center:  
19304 Bonney Lake Blvd.  
Bonney Lake, WA 98391  
Fax (253) 862-8538

believes that mandating specific growth targets is inconsistent with the GMA and the statements made by PSRC staff. Additionally, the City is concerned that the growth targets will usurp a city's right to determine the amount of growth that it can adequately accommodate. As provided in the Central Puget Sound Growth Management Hearings Board's Final Decision and Order in *West Seattle Defense Fund v. City of Seattle*:

“... allowing a city to plan for even more growth than has been allocated to it by the county bolsters the Act's first two planning goals by encouraging that city to accept in its comprehensive plan as much growth as it determines it can adequately accommodate ...”

The City can support a preferred alternative that encourages growth to occur adjacent to transit and within centers to take advantage of the large investment the region is making in mass transit over the next two decades. However, the final alternative selected must recognize realistic growth expectations and the public and private investments that have been made based on the existing urban growth area boundaries. The City is not going to entertain actions, i.e. down-zoning, that will significantly reduce the ability of these public and private investments being realized. Similarly, the City cannot ignore the significant number of vested pipeline projects and work the City is doing to implement the objectives of the GMA.

The City does support PSRC's effort to combine certain unincorporated urban areas within other geographies in the RGS as a way of incorporating reality into the planning for the region (e.g. considering the Tacoma PAA is within the HTC Communities Geography because of a Bus Rapid Transit (BRT) route). The City believes that as part of the selected alternative it would be just as logical to include other unincorporated PAAs and Potential Incorporation Areas (PIA) under the “Core” or “Cities and Towns” Geographies because these areas are planned to be annexed or to become cities. This would ensure that the planning would support the envisioned future versus using up capacity at lower levels that could hinder annexation or incorporation. The region must maximize capacity within the existing urban growth area to lessen the need for expansion in the future. It would be contrary to the GMA to limit growth within the established UGA, once the areas are built at a lower density the capacity is gone and this may result in the need to expand the UGA in the future.

It is questionable if the growth allocations associated with the Stay the Course and Transit Focused Growth alternatives can be realistically achieved throughout the region. To achieve either of these RGS targets some jurisdictions and “Geographies” will need to grow at rates never experienced in the past 10 years, while other jurisdictions will have to take actions to significantly restrict growth. If PSRC is committed to mandating these unrealistic growth rates, how will jurisdictions that are not achieving the higher rates be evaluated during the next comprehensive plan update? Additionally, as noted in the letter from the City of Lakewood, the “Transit Focused Growth” alternative has an explicit goal for seventy-five percent (75%) of the

region's population and employment growth to occur within regional growth centers and in close proximity to high-capacity transit, this may be unrealistic. As noted in Lakewood's letter the more realistic goal is closer to sixty percent (60%).

If the region is truly committed to achieving more growth in proximity to transit, one mitigation measure that must be included in the Final SEIS is a commitment to working with the state legislature to make it easier for jurisdictions within the urban growth area to either join an existing transit district or create a transit district. PSRC must use its legislative influence to support legislation that addresses this fundamental flaw in the objective of having housing supported by transit.

The growth alternative selected must address the job-housing balances in a more realistic way. In order to address the current imbalance that is contributing to increasing commute times, more employment is needed in the South Sound. We, as a region, need to work together to identify what steps can be taken to make a more equitable distribution of jobs a reality. This is a complex issue that revolves around such issues as wages and housing prices at the sub-regional level, i.e. can a person afford to live where they work.

The City also has some concerns with the manner in which the environmental impacts are summarized in the table labeled "Summary Comparison of Alternatives Impacts" (Table E-3). It appears that the table was developed to skew the decision toward a pre-determined outcome instead of actually analyzing the impacts. The Transit Focused Growth Alternative and Reset Urban Growth Alternative are evaluated as having a negative or positive impact compared to the theoretical outcomes of VISION 2040. In taking a closer look at the data behind the colored arrows on Table ES-3, the difference in the percentages is not significant, especially considering a margin of error factor; however the DSEIS appears to convey that these small, insignificant differences are significant in order to guide the reader to the desired outcome. Examples include "How Close would Growth be to Rural and Resource Lands," "How Much would the Average Person Drive," and "What would be the Contribution to Climate Change" criteria. Additionally, some of the criterion appear to be biased towards the writer's preference. As an example, the analysis infers that multi-family is preferred over single-family specific to "Visual Quality." This is extremely subjective. A number of City residents would argue that high-density, multi-family development can be more visually intrusive and impactful.

PSRC's decision to use VISION 2040 as the baseline to determine if the alternatives have positive or negative impacts is also concerning to the City. According to Appendix E, which includes the Regional Growth Strategy Background Paper, it is evident that the VISION 2040 growth patterns have not been realized. To determine the impacts of the alternatives, including the "Stay the Course Alternative", PSRC must look at the real baseline data (2014 and 2017) provided in Appendix B – Supporting Data for Analysis and compare all three alternatives to the

actual development patterns that have occurred since the initial adoption of VISION 2040. This is important information that is buried in the document, it should be more central in the analysis.

If additional information is needed, please contact the City's staff lead: Jason Sullivan – Planning and Building Supervisor. He can be reached by phone at (253) 447-4355 or by email at [sullivanj@ci.bonney-lake.wa.us](mailto:sullivanj@ci.bonney-lake.wa.us).

Sincerely,

A handwritten signature in blue ink, appearing to read "Neil Johnson Jr.", with a stylized, cursive flourish.

Neil Johnson Jr.  
Mayor  
City of Bonney Lake



# VISION 2050 OPEN HOUSES



## ***We want to hear from you!***

By 2050, the central Puget Sound region will be home to nearly 6 million people. VISION 2050 is the regional guide for how this growth can support thriving communities, a strong economy, and a healthy environment. PSRC is seeking comments on the draft VISION 2050 plan from Friday, July 19 through Monday, September 16, 2019. Join us at an open house to find out about the draft plan, ask questions, and give us your feedback.

### **Monday, July 29**

Snohomish County Administration Building  
3000 Rockefeller Avenue, Everett, WA 98201

### **Wednesday, August 7**

Tacoma Main Library  
1102 Tacoma Avenue S, Tacoma, WA 98402

### **Monday, August 12**

Bellevue Library  
1111 110th Avenue NE, Bellevue, WA 98004

### **Tuesday, August 13**

Seattle Union Station  
401 S Jackson Street, Seattle, WA 98104

### **Thursday, August 15**

Kitsap County Commissioners Chambers  
619 Division Street, Port Orchard, WA 98366

Each open house is comprised of two sessions:

#### **Part 1: Afternoon Facilitated Workshop from 3:00 – 5:00 p.m.**

Hear a brief overview of VISION 2050 and join in small group facilitated discussions focused on key policy areas.

#### **Part 2: Evening Drop-In Open House from 5:30 – 7:00 p.m.**

Drop in to learn about VISION 2050 at your own pace. PSRC staff will give a brief presentation on the draft plan at 5:45 p.m. and 6:15 p.m. and will be available to answer questions.

Can't attend an event? Visit <https://www.psrc.org/vision> to find out more and comment.

Questions? Contact us at [VISION2050@psrc.org](mailto:VISION2050@psrc.org) or **206.464.7532**.

08/07/19

*This Page Intentionally Left Blank*