



City Council, Study Session

AGENDA

May 12, 2009

6:30 pm – 9:30 pm

Call to Order

Public Comment

This is an opportunity for the public to address the Council. Three-minutes limit per person or 5 minutes if representing the official position of a recognized community organization.

Topics

- **Update: Fourth of July on the Plateau**
- **Shoreline Master Plan Update**
 - **Review Options Table with special emphasis on the following topics:**
 - ✓ **Low Impact Development/Impervious Surfaces**
 - ✓ **Subdivisions/Public Access**
 - ✓ **Community Beaches**
 - ✓ **Inclusion of Critical Areas Ordinance**
- **Candidate Forum Policy0**

Council Reports

City Manager Report

Adjournment

City Council meetings are wheelchair accessible. American Sign Language (ASL) interpretation is available upon request. Please phone (425) 295-0500 at least 48 hours in advance. Assisted Listening Devices are also available upon request.

Option Table

For May 12th Study Session – City of Sammamish – Shoreline Master Program Update

#	Topic/SMP Reference	Planning Commission (PC) Recommended Draft	Study Session / Dialogue Table / Public / Organization Generated Options			Notes / Explanation for Options 1, 2, and 3	Staff Comments
			#1	#2	#3		
1	General Organization	Lake Sammamish regulations are separate from Pine and Beaver Lake regulations. Goals and Policies are combined.	Combine regulations for all three lakes into one set of regulations.			Option 1 from Dialogue tables. No comment provided.	<i>Spectrum of options is sufficient.</i>
2	General Organization	PC Draft SMP references the CAO and other sections of Sammamish Municipal Code (SMC).	Have the CAO reference the SMP on issues related to the lakes not the other way around.	Incorporate all relevant regulations including those that come from the CAO.		Options 1 and 2 from Dialogue tables.	<i>Spectrum of options is sufficient.</i>
3	Definitions - Alteration 25.020.10	SEE PC DRAFT SMP – Very long definition...	Alteration. Any human activity that results or is likely to result in an impact to the condition of the shoreline is an alteration. Alterations include, but are not limited to, grading, filling, dredging, draining, channelizing, applying herbicides or pesticides or any hazardous substance, discharging pollutants, or removing vegetation. Alterations do not include walking, fishing, or any other passive recreation or other similar activities.	Please remove the definition of alteration as this term is not used within the SMP as currently defined.		<p>Option 1/2 Box: Simplified definition.</p> <p>Option 3: Provided by citizen comment. Additional Comment: If a definition of alternation is deemed necessary, please remove the statement “Any human activity that results or is likely to result in an impact to the condition of the shoreline is an alteration.” This statement is much too broad and includes many water-related and water-dependent activities as alteration. For example, launching a jet ski from the shore would be considered alteration based on this definition.</p> <p>PC Recommended Draft refers to water quality, stormwater, and non-point pollution methods – could add LID here as well. 25.08.010(7)(a) & .09.020(7)(b).</p>	<i>Spectrum of options is sufficient.</i>

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4	Definitions – Bulkhead 25.02.020(22)	Bulkhead means a wall, embankment or other structure erected at or within ten feet of the OHWM and roughly parallel to the shoreline that retains or prevents sliding or erosion of land or protects land from wave or current action. Walls and other similar hard structures within 10 feet of the Ordinary High Water Mark shall be considered bulkheads.	Bulkhead means a wall, embankment or other structure erected at or within ten feet of the OHWM <u>near</u> and roughly parallel to the shoreline that retains or prevents sliding or erosion of land or protects land from wave or current action. Walls and other similar hard structures within 10 feet of the Ordinary High Water Mark <u>to protect structures from erosion caused by wind and wave action.</u> shall be considered bulkheads.	Revise definition of bulkhead. Define ‘hard structural stabilization’ to be vertical structures at or near the OHWM Define ‘soft structural stabilization and include ‘large rocks placed singly or in grouping of 2-3 behind the OHWM’	Bulkhead. Bulkhead means a wall or other solid structure erected at or below OHWM and roughly parallel to the shoreline that protects land from wave action.	<p>Option 1: Staff generated definition based on study Session #1 comments and discussion.</p> <p>Options 2: Generated from Dialogue Tables. Additional comment: Define ‘soft structural stabilization’, whether or not it includes ‘large rocks behind the OHWM’</p> <p>Option 3: Citizen comment letter preferred definition. Comment: Based on the proposed definition, a wall erected parallel to the shoreline but many feet upland to protect property from upland erosion may be considered a bulkhead and regulated as such. Bulkheads are typically defined as “at or below OHWM”.</p>	<i>Spectrum of options is sufficient.</i>
5	Definitions – Footprint 25.02.020	None provided	Footprint. Footprint means a two dimensional projection of a structure onto the ground surface.			Option 1: Staff generated from Study Session 1.	<i>Spectrum of options is sufficient.</i>
6	Definitions – New 25.02.020	None provided	New. After the effective date of the SMP as provided in 25.01.080			Option 1: Provided by citizen comment.	<i>Spectrum of options is sufficient.</i>

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7	Definitions - Preferred Shoreline Use 25.02.020	Preferred shoreline use. A preferred shoreline use is identified in the Act as a use that is unique to or dependent upon a shoreline location. Water-dependent, water-related, and water-enjoyment uses are preferred shoreline uses. Single-family residential development is also a preferred use according to the Act.	Preferred shoreline use. A preferred shoreline use is identified in the Act as a use that is unique to or dependent upon a shoreline location. Water-dependent, water-related, water-enjoyment, and single-family residential development are preferred shoreline uses according to the Act.			Option 1: Staff generated to respond to citizen comment to better recognize the status of residential use.	<i>Spectrum of options is sufficient.</i>
8	Definitions – Vegetation Management 25.02.020(23)	(23) Clearing. Clearing means limbing, pruning, trimming, topping, cutting or removal of vegetation or other organic plant matter by physical, mechanical, chemical, or any other means.	(23) Clearing. Clearing means limbing, pruning, trimming, topping, cutting or removal of vegetation or other organic plant matter by physical, mechanical, chemical, or any other means. <u>Clearing does not include crown thinning, crown cleaning, or vista pruning.</u>	(23) Clearing. Clearing means limbing, pruning, trimming, topping, cutting or removal of vegetation or other organic plant matter by physical, mechanical, chemical, or any other means. Mowing of existing lawns and maintaining existing plantings is allowed.		<p>Option 1: Generated from Study Session 1 comments and discussion. Intended to clarify that normal maintenance of vegetation is not trimming.</p> <p>Options 2: Generated from Dialogue Tables. Intended to clarify that normal maintenance of vegetation is not trimming.</p> <p>Additional comment from Sammamish HomeOwners (SHO) comment letter: Please also delete the terms limbing and topping from the definition of clearing so that it is consistent with SMC 16.15.020. The definition of Clearing should be consistent throughout the SMC.</p>	<i>Spectrum of options is sufficient. Staff recommend combining options 1 & 2.</i>

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9	SMP Goals Section 25.03 (New goals)		<p>Conservation Goal– add goals that focus on addressing previous development and activities –namely, City stormwater systems – that adversely effect water quality and shoreline conditions.</p> <p>Public Access Goals– add goal that recognizes private property rights while encouraging public access.</p> <p>Shoreline Restoration and Enhancement Goals– add goal that encourages restoration of shoreline functions WHILE STILL recognizing preferred and planned shoreline uses.</p>			<p>Citizen comments. Also correspond with feedback provided by Ecology staff on Draft SMP Update products (focused on Water Quality).</p>	<p><i>Spectrum of options is sufficient.</i></p>
10	<p>All Lakes – Impervious surface regulations</p> <p>25.08.030(2)(c) / (3)(a) & 25.09.030(2)(b) / (3)(b)</p>	<p>Lake Sammamish: 30% impervious surface limit for UC, 40% impervious surface limit for SR. Pine & Beaver Lakes: 30% impervious surface limit set for all shoreline environments. All lot area landward of OHWM used in calculation.</p>	<p>Total impervious surface area (all land landward of OHWM) shall not exceed 55% for all lakes.</p> <p>Develop an incentive / credit program toward other requirements for having less impervious surface than required.</p>	<p>No regulations limiting impervious surfaces in the SMP.</p>		<p>55% is the R4 impervious surface maximum allowed by zoning, or 70% for lots under 9,076 square feet.</p> <p>What sort of credits / incentive could be developed? Buffer reduction, other?</p> <p>Won't the proposed impervious surface regulations create additional non-conformance in shoreline parcels.</p>	<p><i>Spectrum of options is sufficient.</i></p>
11	<p>All Lakes – Low impact development (LID) regulations</p> <p>Potential new regulations</p>	<p>The SMP encourages but does not require use of LID. LID credits can apply to vegetation requirements on Pine and Beaver Lakes (25.09.010.2).</p>	<p>Include LID Ordinance regulations within the SMP document (make mandatory).</p>			<p>Option 1: Comment / idea from Planning Commission review period. (See Commissioner Hamilton Letter of Dissent.)</p> <p>Comment from Dialogue Table: Dialogue table in favor of the PC option – separate LID regulations. There is concern about the failure rate of some LID projects and the potential for damage to the lake.</p>	<p><i>Spectrum of options is sufficient.</i></p>

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12	All Lakes – Stormwater regulations Potential new regulations	SMP is consistent with the City’s Stormwater Ordinance; SMP provides several regulations consistent with existing Stormwater Regs intended to ensure water quality in lakes.	Develop more stringent stormwater regulations within the SMP document.			Option 1: Comment / idea from Planning Commission review period. Comment from Dialogue Table: Dialogue table in favor of the PC option – limited stormwater regulations included in the draft.	<i>Spectrum of options is sufficient.</i>
13	Lake Sammamish – Shoreline stabilization policy 25.05.040	When traditional bulkheads are replaced, incorporate: Bioengineering Fisheries habitat enhancement design elements (anchored logs and root wads)...	When traditional bulkheads are replaced, incorporate: Bioengineering Fisheries habitat enhancement design elements (anchored logs and root wads).			Option 1 from Dialogue Table. Expressed that logs and root wads are inappropriate for Lk Sammamish shoreline considering changes in water level and winter storm events. Additional comment: Define substantial repair.	<i>Spectrum of options is sufficient.</i>
14	Lake Sammamish – Shoreline Jurisdiction 25.07.010(2)	On Lake Sammamish, the shoreline jurisdiction shall be based on a minimum OHWM elevation of 28.18 feet NGVD29.	Make 28.18 NGVD an optional elevation and allow flagging as well.	Consider other alternatives to determining Lk. Samm OHWM, including: Use 27 NGVD (Army Corps) elevation. Determine by study of mean highs over period when data is available Determine by historical land surveys of OHWM		Options 1 and 2 from Dialogue Tables. Comments provided: This relates to where the setback / buffer begins. 25.07.010(2) states that Shoreline Jurisdiction starts at 28.18 NGVD. However, the definition of OHW does not mention 28.18 NGVD.	<i>Spectrum of options is sufficient. Staff note that PC recommended draft is accepted by Department of Ecology and is easier to administer.</i>

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15	All Lakes – Shoreline modification: replacement bulkheads 25.08.020(4) 25.09.020(4)	An existing shoreline stabilization structure may be replaced with a similar structure if there is a demonstrated need to protect primary uses or structures from erosion caused by currents or waves. The replacement shall require a shoreline substantial development permit.	An existing shoreline stabilization structure may be replaced with a similar structure if there is a demonstrated need to protect primary uses or structures from erosion caused by currents or waves. The replacement shall require a shoreline substantial development permit.			Option 1 from Study Session 1 comments and discussion.	<i>Spectrum of options is sufficient.</i>
16	Pine and Beaver Lakes – Structural shoreline stabilization 25.09.020(4)	Hard structural stabilization (is) allowed with a CUP only when ...: Alternative soft methods are insufficient to protect the structure and - They are required to protect the primary structure as determined by a geotechnical analysis.	Hard structural stabilization (is) allowed with a CUP only when ...: Alternative soft methods are insufficient to protect the structure and – They are required to protect the primary structure as determined by a geotechnical analysis <u>where the primary structure is likely to be damaged within 3 years.</u> It is designed to minimize impacts to habitat functions...	Hard structural stabilization (traditional bulkheads) are allowed with a CUP when: Alternative soft methods are insufficient to protect the structure and - They are required to protect the primary structure as determined by a geotechnical analysis. To protect secondary structures such as existing gazebos and pump houses located in the proposed buffer area.		Option 1 from Study Session 1 comments and discussion. Responded to Council and citizen concerns about requiring a Conditional Use Permit (CUP) for bulkheads on Pine and Beaver Lake. (Note structural stabilization on Lake Sammamish still requires a CUP) Option 2 from Dialogue Table.	<i>Spectrum of options is sufficient. Staff recommend combining options 1 & 2.</i>

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17	Lake Sammamish – Shoreline stabilization (bulkhead replacement) 25.08.020(4)(k)	Replaced bulkheads shall be removed unless doing so causes more environmental harm than leaving in place.	Replaced traditional bulkheads shall be replaced in the following order of preference: Remove bulkhead, cut beach, place gravel fill and re-vegetate Leave bulkhead, gravel fill beach and re-vegetate. Re-vegetate waterside of bulkhead.	In addition to the Option # 1 regulations: Please consider using ‘When’ in the code text as opposed to ‘where’. Please also consider removing the order of preference and priority system for structural stabilization.		<p>Option 1: Generated from Study Session 1 comments, discussion. Responded to citizen suggestion to reference Corps and NMFS alternatives for shoreline restoration when bulkheads are replaced.</p> <p>Option 2: Comments on Option #1 alternative from citizen association comment letter.</p>	<i>Spectrum of options is sufficient.</i>
18	Lake Sammamish – Shoreline stabilization 25.08.020		New regulation for shoreline stabilization: Structural stabilization would be allowed as necessary near property boundaries in order to avoid impacts to neighboring properties.			<p>Option 1: New regulation from Dialogue Table. Comment: Addressing question of whether a bulkhead could be built perpendicular to a shore to protect the neighbor’s property, specifically relating to when bio-stabilization techniques are implemented to replace a bulkhead, and neighbors’ bulkheads remain.</p> <p>Additional Comment regarding Structural shoreline stabilization requirements: Why does structural stabilization on Lake Sammamish require a Conditional Use Permit (CUP)? The City should retain final approval for shoreline stabilization permits, and this requirement should be eliminated.</p>	<i>Spectrum of options is sufficient.</i>

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19	All Lakes – Critical Areas / Shoreline Vegetation Conservation Policies 25.04	Many policies related to maintenance of native shoreline vegetation and shoreline buffers	New Policy (could potentially be crafted as a new regulation): New shoreline developments and uses should be planned and designed to promote preservation or enhancement of the shoreline buffer without causing significant impacts on the lawful use of the buffer by property owners.			Option 1: New policy developed from Council and public concerns regarding restriction on normal use of the shoreline area.	<i>Spectrum of options is sufficient.</i>
20	Lake Sammamish – Shoreline Buffers 25.08.010(2)(b)	Shoreline buffer consistent with SMC 21A.50.351 and 21A.50.352. Buffer reductions available to min. 15 feet. Reduction available from: bulkhead removal, restoration or preservation of shoreline area, and limits on lawn area and use of fertilizers	Remove buffer. Instead set a 20 foot setback requirement. For flexibility, allow setback averaging. Allow ‘credit’ toward future development for enhancement of a 5 or 10 foot area in conjunction with the Army Corps of Engineers requirements (Lake Sammamish only).	Buffers should be changed from 45 plus a 5 foot building setback to 15 feet and a 5 foot BSBL so that they conform to the 20 foot setback that has been required by King County. For flexibility, allow setback averaging.	Setback from the lake should be determined with string-line system (similar to as used in Bellevue) New building no closer than the buildings on either side (determined by a line drawn between them. If vacant on one side the line is between the structure on one side and the setback distance on the other (a line from 20 feet from OHW to the existing structure).	Option 1 from Dialogue Tables. Comments: On Lake Sammamish, there have historically been smaller lots, the lake is navigable and public phosphorus is non-point and a drainage basin problem, the regulation is disproportional to the shoreline property owner. (to protect views along the lakeshore). Option 3 from Dialogue Tables. Additional comments provided: The Bainbridge Island Municipal Code has similar language in its Zoning Code (18.78.060). Would protect views along the lakeshore.	<i>Spectrum of options is sufficient. Staff notes: Option 1 may not meet approval by the Department of Ecology. Option 3 may be difficult to administer and lacks incentives for bulkhead removal.</i>

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21	Pine and Beaver Lake – Shoreline Buffers 25.09.010(2)(b)	Shoreline buffer of 45 feet established (to protect water quality, preserve aesthetic qualities, and maintain habitat values and functions). 5 foot additional building setback from the edge of buffer. Buffer shall be maintained in a native vegetated state outside of active use area.	No buffer requirements for P and B Lakes. Alternatively, incorporate CAO setback requirements. <u>Do not have any vegetation restrictions with the setback area.</u> Use the term <i>setback</i> , maybe with <i>Vegetation Enhancement Areas</i> , rather than <i>buffers</i> .	No buffer requirements for P and B Lakes. Alternatively, incorporate CAO setback requirements. Use only the term <i>setback</i> , maybe with <i>Vegetation Enhancement Areas</i> , rather than <i>buffers</i> Buffer shall be maintained in a native vegetated state for new shoreline developments outside of active use area.	Option 1 & 2 from Dialogue Tables. Comments: <i>Buffer is appropriate only for critical areas (wetlands, streams, habitat conservation areas).</i> <i>Pine and Beaver Lakes are not public, phosphorus is a non-point and a drainage basin problem, the regulation is disproportional to the shoreline property owner.</i> Some comments indicate a desire for 50 foot setback for Pine and Beaver Lakes. Option 3 from citizen comment letter: Concern expressed that it is not clear that shoreline buffer standards do not apply to existing uses.	<i>Spectrum of options is sufficient. Staff notes: Department of Ecology input is pending.</i>
22	Pine and Beaver Lake – Shoreline Buffer Allowed Use Area 25.09.010(2)(b)(ii)	15% of shoreline buffer area (at least 200 square feet) may be used for ‘active use’ – no vegetation retention requirements	25% of shoreline buffer area (no less than 15 feet of the lake frontage) may be used for ‘active use’ – no vegetation retention requirements	Eliminate “buffer”. Use setback with no vegetation restrictions.	Include provision that allows existing landscape features to remain and be maintained.	Option 1 from 1st Study Sessions. <hr/> Optional Regulations 2 and 3 from Dialogue Table. <hr/> Option 3 connects with the definition of ‘Clearing’ (see definitions section); it is intended to clarify vegetation maintenance that is allowed on existing lots.	<i>Spectrum of options is sufficient. Staff notes: Department of Ecology input is pending.</i>

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23	<p>All Lakes – Side yard (interior) setbacks</p> <p>25.08.030(1)(f) & 25.09.030(1)(e)</p>	Interior setback to total 15% of lot width, with a minimum 5 foot width for each side of structure.	Interior side yard setbacks should be 5 feet not 15% of the lot width (match the zoning code).			<p>Option 1 from Dialogue Tables. No comments provided; would provide consistency with zoning regulations throughout the City.</p>	<p><i>Spectrum of options is sufficient. Staff notes that the PC draft option may be difficult to administer.</i></p>
24	<p>All Lakes – Existing structures within buffers (primarily a concern on Lk Samm)</p> <p>25.08.010(2)(b), 25.09.010(2)(b) and 25.10.100(1)</p>	The proposed buffer does not exclude any existing structures. Any structures within the buffer are non-conforming – may be maintained but degree of non-conformity may not be increased. Allowances provided for structures significantly damaged by fire or other natural disaster.	Existing primary structure (SFR) inside buffer excluded from the buffer.	The existing footprint, the area above it, and the structure “shadow” area (within the setback) should be available for development. If the structure “shadow area is less than the current 1,000 square foot addition allowance of the CAO, allow for a minimum of 1,000 square feet of area for development.		<p>Options 1 and 2 from Dialogue Tables: Comments:</p> <p><i>Most of the issues related to the non-conforming section of the code stem from the “building setback line”. If there were only a wrap-around buffer with no setback line then structures would be able to add second floors to existing non-conforming structures</i></p>	<p><i>Spectrum of options is sufficient. Staff notes that option 1 may be difficult to administer.</i></p>
25	<p>All Lakes – Shoreline Buffers</p> <p>NEW REGULATION IDEAS (multiple listed w/ lines separating)</p>	<p>NO current regulations restricting the use of fertilizers</p> <hr/> <p>No current establishment of a shoreline buffer mitigation ‘banking’ area</p>	<p>Limit use of phosphorus fertilizer.</p> <hr/> <p>Establish a city restoration bank for restoration credits.</p>			<p>Optional Regulations from Dialogue Table comments (detailed below):</p> <p><i>Shoreline property owners are good stewards of the lake and most do not use phosphorus fertilizers.</i></p> <hr/> <p><i>There should be some way to encourage voluntary enhancement, particularly in advance of a permit application. Allow credit for future development.</i></p>	<p><i>Spectrum of options is sufficient. Staff notes that first regulation may be difficult to administer and regulation two is not currently available but might be an idea appropriate for future consideration.</i></p>

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26	All Lakes – Docks and piers 25.08.020(2)(c)(i) and 25.09.020(2)(d)(i)	Private residential docks permitted when: demonstrated need commercial moorage, joint use / shared moorage, and/or mooring buoys are not available	Private residential docks permitted when: demonstrated need joint use / shared moorage are not available	Delete the entire regulation.		<p>Option 1: generated from Study Session 1 comments, discussion.</p> <p>Option 2: from Dialogue Tables. Comments: WAC173-26-231(3)(b) exempts single family docks from demonstrated need (public, staff). Public notes that docks are used for more than moorage, including swimming and fishing.</p>	<i>Spectrum of options is sufficient.</i>
27	Lake Sammamish – Docks and piers 25.08.020(2)(c)(i)	Features per residential lot: 1 dock/pier 1 float 1 boat & 1 PWC lift or 2 PWC lifts 2 boat lifts allowed for joint use docks (no more than 2 total lifts)	Features per residential lot: 1 dock/pier 1 float 1 boat & 1 PWC lift or 2 PWC lifts 1 extra boat lift or PWC lift allowed for joint use docks	Features per residential lot: 1 dock/pier 1 float 1 boat lift 1 extra boat lift allowed for joint use docks	Features per joint use dock: 2 floats 2 boat lifts and 2 PWC lifts OR 4 PWC lifts	<p>Option 1: generated from Study Session 1 comments, discussion.</p> <p>Option 2: from Dialogue Tables (comment - Personal water craft lifts shouldn't be regulated as this forces the PWCs to use beaches which results in more environmental impact.)</p> <p>Option #3: from Dialogue Tables; applies specifically to joint use docks & would be IN addition to per lot dock regulations (comment - <i>Joint use should have additional incentives.</i> Comment: <i>Community / shared beaches on Lake Sammamish are typically used by multiple upland lots. The proposal to allow one additional lift is insufficient to support the number of households which share these lots.</i>)</p>	<i>Spectrum of options is sufficient. Staff recommend combining options.</i>

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28	Lake Sammamish – Dock and pier length (and area) requirements 25.08.020(2)(iii)	Length <u>no longer than</u> the average of nearest docks on either side OR the length at which a water depth of 8 feet is reached No regulation of dock area	Length <u>no longer than</u> the average of nearest docks on either side.	Additional regulation to be considered with length regulations: square footage rule for dock size (as in the current code at 600 sq.ft.) for single family and joint use docks.		Options 1 and 2 generated from Dialogue Tables. Comments: General sentiment: We don't need additional rules since the docks are already regulated by the state and federal government rules. Public says that some properties would end up with very short or shorter than average docks. Concern over prop wash on lake bottom.	<i>Spectrum of options is sufficient. Staff note that allowing docks to 8 foot depth could result in very long docks.</i>
29	Lake Sammamish – Dock requirements for lift stations 25.08.020(2)(c)	No requirements for the positioning of lift stations on docks	Boat lifts should be perpendicular to the beach and not closer than 15 feet from the adjacent property line.			Option 1: generated from Study Session 1 comments, discussion	<i>Spectrum of options is sufficient.</i>
30	Pine and Beaver Lakes – Dock requirements 25.09.020(2)	Section permits and provides regulations for public and private docks, piers, floats, and mooring buoys. The section prohibits lifts, moorage covers, and canopies.	Add regulation for existing lifts that matches that for existing rails, 25.09.020(1).			Option 1: generated from Dialogue Tables. Comment: <i>At least one lift is currently on Pine Lake.</i>	<i>Spectrum of options is sufficient.</i>

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31	All Lakes – Dock and pier requirements for Urban Conservancy Environment 25.08.030(2) and 25.09.030(2)	Private residential docks in Urban Conservancy: minimum distance of 200 ft. from all other existing docks	Delete regulation altogether			Option 1 generated from Dialogue Tables. No corresponding comments, however concern was over unnecessary restrictions being placed on certain property owners (primarily a Lake Sammamish issue).	<i>Spectrum of options is sufficient.</i>
32	All Lakes – Dock and pier size and height 25.08.020(2)(c)(ii) & 25.09.020(2)	Minimum size required to provide for moorage; and Not exceed 3 feet in height above the extreme high water level.	Minimum size required to provide for moorage; and Not exceed 3 feet in height above the ordinary high water level.	Minimum size required to provide for moorage.		Option 1: generated from Study Session 1 comments, discussion. Option 2: from Dialogue Tables.	<i>Spectrum of options is sufficient.</i>

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33	All Lakes – Existing Docks 25.08.020(2) & 25.09.020(2)	Repair or replacement of docks requires WDFW approved materials / methods – as follows: 10% or less – no change in material 11 to 29% - replaced materials WDFW approved 30% or more – entire dock must be replaced with WDFW approved materials	Repair or replacement of docks requires WDFW approved materials / methods – as follows: Full replacement = full consistency w/ WDFW 30% or more of decking = replaced decking must be WDFW approved material In water repair / replacement = use of WDFW approved materials for repaired/replaced portion.	Replacement or reconstruction of docks requires WDFW approved materials / methods. Definitions to add to clarify this section: ‘Repair’, ‘Replacement’, and ‘Reconstruction’		<p>Option 1: Generated from Study Session 1 comments and discussion: Intended to simplify the system to only require WDFW materials for more significant repair and replacement.</p> <p>Option 2: from Dialogue Tables. Comment: If your dock is uplifted in a storm and returned to its original position, it shouldn’t be a repair. No materials replacement should be required)</p> <p>Additional dialogue table comment: The first paragraph implies all repair must meet WDFW requirements. Question: Where did the percentages come from? Are they consistent with WDFW rules?</p>	<i>Spectrum of options is sufficient. Staff recommend combining option 1 and option 2.</i>

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34	Lake Sammamish – Residential Launch Ramps and Rails 25.05.010(3) & 25.08.020(2)(a)	Policies: Discouraged when they increase impervious surface area in the shoreline and/or require clearing of shoreline vegetation. Regulations: Ramps and rails not allowed on Lk Samm. Piers, docks, floats etc. are not allowed for residences with existing ramps or rails. Existing ramps and rails may be maintained and repaired (consistent with 25.10.100(3)).	Policies: No change Regulations: Specify that prohibition on ramps and rails, <u>and on dock /piers</u> where there are existing ramps and rails, ONLY applies for NEW shoreline structures.	Regulations: Ramps and rails not allowed on Lk Samm. Existing ramps and rails may be maintained and repaired (consistent with 25.10.100(3)).	Policies: Discouraged when they require clearing of shoreline vegetation.	<p>Option 1: generated from Study Session 1 comments and discussion: Intended only to clarify when the regulations apply.</p> <p>Option #2: from Dialogue Tables. Comment: Property owners should be able to have both ramps and piers and moorage buoys.</p> <p>Option 3: from Dialogue Tables. Only regarding the Policy language... removes reference to impervious surfaces.</p> <p>Additional public comment on Option #1: Instead of allowing floats when a property has existing launch ramp/rails, please consider allowing a dock or pier. Docks have less long-term environmental impact than floats due to the following:</p> <ul style="list-style-type: none"> • New dock materials are environmentally friendly and allow filtered light to reach the water. • Floats sit directly on the water creating deeper shade and harsher light/shade transitions. • Floats are at greater risk of becoming detached during a storm and causing damage to the near-shore environment and nearby property. 	<i>Spectrum of options is sufficient.</i>

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35	Pine and Beaver Lakes – Subdivision 25.09.030(3)(a)	Minimum lot width required for subdivision: 60 feet Landward portion of all lots created through subdivision shall have a minimum size of 12,500 square feet	Minimum lot width required for subdivision: 60 feet 50 feet Landward portion of all lots created through subdivision shall have a minimum size of 12,500 square feet	Prohibit new subdivision on P & B Lake without Public Sewer		Option #1 from Pine Lake property owners with large properties that are between 50 and 60 feet wide. Option #2 from FutureWise Comment Letter, concern over impacts from current and potential additional septic systems in the shoreline environment.	<i>Spectrum of options is sufficient.</i>
36	All Lakes – Community Beaches Not previously addressed separately	Separate consideration is not given to community beaches. Regulations for private shoreline structures, shoreline modifications, and residential development applies to community beaches	Give separate consideration to community beaches. Needs include: Allow for larger docks based on numbers using them, not SF zoning Write easier and less strict regulations to understand and comply with for the repair of docks and bulkheads (don't like too many percentages.) Grandfather swimming areas as active use areas with larger percentages, even if more buffer requirements are provided; OR have buffer requirements more suited to community beach needs than single family residential needs. Beach erosion and replacement. Provide beach clubs with incentives and education to know how to proceed with beach replacement and restoration projects. Define how far out swim lines and floating docks can be located.	Refer to Army Corps of Engineers criteria and language Include the above actual language in the SMP.		Option 1/2 and 3 from Dialogue Tables discussion on Community Beaches. See Dialogue Table summary table for additional notes regarding community beaches.	<i>Spectrum of options is sufficient.</i>

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37	All Lakes – Nonconforming Uses Regulations 25.10.100(3)	Uses that were legally established [as of XXX date] and are nonconforming with regard to the use regulations of this Program may continue as legal non-conforming uses.	Uses, <u>including without limitation active use areas of nonconforming size located in the shoreline buffer,</u> that were legally established [as of XXX date] and are nonconforming with regard to the use regulations of this Program may continue as legal non-conforming uses.			Option 1: Citizen comment letter. Comment: The problem is that the draft SMP does not clearly exempt existing active use yards from the buffer restrictions. I propose the following modifications to the language of proposed SMC 25.09.010(2) and SMC 25.10.100, which changes are referenced below in <u>underline</u> and striketrough .)	<i>Spectrum of options is sufficient.</i>
38	All Lakes – Nonconforming Regulations for Voluntary Reconstruction 25.10.100(1)(c)	Tiered system requiring buffer enhancement to compensate for reconstruction activity: Less than 50% = restore equivalent area of shoreline buffer 50 to 75% = restore entire area of shoreline buffer; More than 75% = relocate structure to conform to buffer and setback requirements.	Tiered system requiring buffer enhancement to compensate for reconstruction activity: Less than 50% = restore equivalent area of shoreline buffer; More than 50% = restore entire area of shoreline buffer.	Allow for mitigation for the enlargement of a structure by allowing planting or enhancement waterward of the OHW.	Do not treat <u>involuntary</u> reconstruction differently from voluntary reconstruction.	Option 1: Generated from Study Session 1 comments and discussion. Intended to simplify the system and allow for all reconstruction or additions that don't increase the non-conformity of the existing structure.. Options 2 and 3: from Dialogue Tables. Comment: One of the constant notes was that the public did not like the percentages included in the non-conforming section for voluntary additions 25.10.100 (1)(c). They wanted it deleted. Additional Option provided via homeowners association comments: Legally established non-conforming structure may be maintained and repaired and may be enlarged or expanded provided that the enlargement or expansion does not extend the structure closer to the shoreline. - Definition of expansion to add: Any expansion which increases the footprint within the shoreline buffer or building setback and is no closer to the	<i>Spectrum of options is sufficient.</i>

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						shoreline than the existing structure, shall require buffer enhancement on a one-to-one ratio, one square foot of buffer enhancement per square foot of area covered by the expansion.	
39	All Lakes – Nonconforming Regulations for Involuntary Reconstruction 25.10.100(1)(f) & (g)	When destruction is greater than 75% of FMV , structure will be reconstructed to conform to SMP requirements <u>unless it is not possible</u> , in which case construction will conform to the prior configuration When destruction is less than 75% of FMV , structure may be reconstructed to existing configurations (permits are requested w/in 1 yr and restoration is completed w/in 2-3 years.	Structure may be reconstructed to existing configurations (if permits are requested w/in 1 yr and restoration is completed within 2-3 yrs Buffer enhancement may be required for reconstruction if above requirements are not met.	Do not treat involuntary reconstruction differently from voluntary reconstruction.	Additional allowances that should be considered with Option 1: If a non-conforming structure may be reconstructed to those configurations existing immediately prior to the time the damage occurred <u>or to a more conforming area or footprint provided that all of the following criteria are met:</u> Rebuilding to a more conforming area or footprint is allowed as an alternative to the above required shoreline enhancement or restoration.	Option 1: generated from Study Session 1 comments and discussion. Intended to simplify the system and allow for reconstruction to prior conditions no matter what. Options 2 from Dialogue Tables. (No comment provided) Option 3 from Sammamish HomeOwners (SHO) comment letter. Intended to provide an additional allowance.	<i>Spectrum of options is sufficient.</i>
40	All Lakes – Voluntary remodel and reconstruction 25.10.100(1)(d)	Voluntary addition or reconstruction standards in 25.10.100 (1)(c) are not intended to apply to interior remodels, reconstruction, or renovations that do not modify the exterior footprint of the existing structure.	Voluntary addition or reconstruction standards in 25.10.100 (1)(c) are not intended to apply to interior remodels, reconstruction, or renovations that do not modify the exterior footprint envelope of the existing structure.	For Non-conforming, you can increase the height if you do not increase the footprint.		Option 1: Generated from Study Session #1 comments and discussion. Intended to clarify that interior remodel and reconstruction is ALLOWED and does not trigger reconstruction requirements under SMP Non-conformance code) Options 2: from Dialogue Tables. No comment provided.	<i>Spectrum of options is sufficient.</i>

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