



MEMORANDUM

DATE: April 14, 2014

TO: Chair Grindeland and members of the Parks & Community Services Board

FROM: Carol Helland, Land Use Director 452-2724
Development Services Department

SUBJECT: Status Update on Council Completion of the Shoreline Master Program

The Shoreline Master Program Update is perhaps the most significant environmental policy/code amendment effort by the City since the adoption of the Critical Areas Overlay in 2006. The SMP applies to shorelines as they are defined by state-law. Shoreline Overlay District jurisdiction includes identified lake and/or stream waters, lands underlying those waters, the area 200 feet landward of the ordinary high watermark of identified waters, plus associated floodways, floodplains, and wetlands. In Bellevue, the Shoreline Overlay District jurisdiction specifically applies to the following waterbodies (including their associated wetlands/floodplains):

1. Lake Washington, including Mercer Slough upstream to Interstate 405;
2. Lake Sammamish;
3. Lower Kelsey Creek; and
4. Phantom Lake.

Like the Critical Areas Overlay, the Shoreline Master Program is an “overlay” that applies to properties located within the above-referenced shoreline jurisdiction, and modifies or augments the underlying zoning requirements that are generally applicable to development city-wide. The SMP is, however, a unique regulation in that it ultimately requires Department of Ecology approval following a showing that the requirements of the Shoreline Management Act (SMA) and Shoreline Guidelines (Guidelines) have been met.

Approximately 1,500 properties are located within shoreline jurisdiction city-wide. These properties are developed primarily for single family use, which is the first-listed shoreline use priority under the SMA. However, properties affected by the shoreline policies and regulations also include commercial properties (such as Belfield Office Park), recreational properties (such as the Meydenbauer and Newport Shores yacht clubs) and public properties (including Parks Department holdings such as Meydenbauer Bay Park and Marina, and Utility and Transportation department facilities). Therefore, it was necessary for the Planning Commission to develop a SMP that addressed the wide range of uses found on the Bellevue shoreline and the associated shoreline development that was anticipated to support the intended function of those uses.

The Planning Commission worked diligently to create a document that they described in their transmittal and May 2013 presentation to Council as “balanced and user friendly.” In order to achieve these objectives, the Commission did not take a cookie-cutter approach to developing a plan that looked like something approved in another shoreline community. Rather, the Planning Commission developed a document that was Bellevue-appropriate and responsive to the applicable state requirements in a way that was tailored to Bellevue shoreline conditions and integrates seamlessly into the Bellevue Comprehensive Plan and Land Use Code.

The SMP Update recommended by the Planning Commission includes six new environmental designations (which are the shoreline jurisdiction equivalent to zoning designations), and unique development regulations applicable to the range of uses found on Bellevue shorelines. Residential properties are given a high priority in the SMA and constitute the single most prevalent city-wide use on Bellevue's shoreline. As a result, the Planning Commission focused considerable attention on the regulations addressing residential property development. The Planning Commission recommendation also includes new approaches to the regulation of existing and non-conforming uses that would be unique to shoreline properties, and to the regulation of shoreline modifications, which would be permitted to occur in the water or at the interface with the ordinary high water mark.

Ultimately, the City Council is scheduled to review the Planning Commission proposal and decide whether it provides the right policy balance between allowed shoreline use and development and the environmental protections necessary to preserve Bellevue's identity and vision as a "City in a Park." Staff has hired a consultant to assist in analyzing and providing feedback regarding the alignment between the final SMP Update Package and the applicable state shoreline requirements. On March 10, 2014, the City Council endorsed the SMP Update Completion Plan included in Attachment A, which provides a schedule for when the City Council will be engaging on the SMP Update topic. It would be appropriate for the Parks & Community Services Board to monitor and provide comment during these scheduled Council engagements if it is interested in providing input on the Final SMP Update package.

I hope this information is useful to you. Please let me know if I can be of additional assistance.

ATTACHMENT

A. Process for Completion of the SMP

Process for Completion of Shoreline Master Program (SMP) Update

Council Meeting 1: March 10, 2014

1. Endorse a Process for SMP Completion
2. Receive the Planning Commission Recommendation on SMP Conformance Amendments

Council Meeting 2: April 14, 2014

1. Describe the need for the SMP Update
2. Provide orientation to state SMP adoption requirements
3. Conduct high level review of the Planning Commission recommended SMP Update package

Council Meeting 3: April 28, 2014

1. Describe the roll of a Cumulative Impact Analysis in the demonstration of "No Net Loss"
2. Review the CIA prepared by Watershed Company
3. Introduce the Light Rail use and development regulations retained by Council
(required for consistency with the Light Rail Transit Overlay adopted in February 2013)

Public Hearing on Planning Commission Recommended SMP: May 5, 2014

Council Meeting 4 - 6: May 12, May 27, June 9, 2014

1. Review policy topics and receive Council direction
(3 topics/meeting – could increase to accelerate schedule)
2. Issues of importance identified by the Planning Commission
 - a. Public Access
 - b. Lake Levels
 - c. Setbacks/Buffers
 - d. Vegetation Retention
 - e. Critical Areas (incl. fish habitat)
 - f. Docks
 - g. Shoreline Stabilization
 - h. Nonconforming Uses
 - i. Floodplain

Public Hearing on Final SMP Update Package: TBD based on progress made during Meetings 4-6

Council Meeting 7: TBD based on progress made during Meetings 4-6

1. Adopt final package by resolution
2. Direct staff to submit to Ecology (and formulate negotiation strategy as necessary)

