1. SHORELINE MANAGEMENT

# BACKGROUND

In 1971, in response to a citizens’ initiative, the Washington State Legislature passed the Shoreline Management Act (the “SMA” or “Act”). The SMA was adopted by the public in a 1972 referendum. Its purpose is to manage the shorelines of the state in order to protect the public interest in shoreline resources. You can view the entire SMA (RCW 90.58) on the Washington State Legislature’s web site at [http://apps.leg.wa.gov/RCW/default.aspx?cite=90.58.](http://apps.leg.wa.gov/RCW/default.aspx?cite=90.58) The sites listed below also offer information about the SMA and shoreline management in the State of Washington.

Municipal Research and Services Center of Washington (MRSC): [http://www.mrsc.org/Subjects/Environment/shorelin.aspx.](http://www.mrsc.org/Subjects/Environment/shorelin.aspx)

Washington Department of Ecology: [http://www.ecy.wa.gov/programs/sea/SMA/st\_guide/SMP/index.html.](http://www.ecy.wa.gov/programs/sea/SMA/st_guide/SMP/index.html)

## SHORELINE MASTER PROGRAMS

Water is one of our most important natural resources. Whether it is for domestic consumption, municipal use, irrigation, recreation or habitat for myriad fish and wildlife species, water and the many beneficial uses it supports are the basis for life and the economy in Omak.

The overall statewide goal of shoreline management planning is *“to prevent the inherent harm from uncoordinated and piecemeal development of the state’s shorelines”.* One of the ways in which Omak protects shoreline resources is through the preparation, adoption, implementation and updating of a Shoreline Master Program which is comprised of this Section of the Land Use Element of the Comprehensive Plan and shoreline regulations adopted in Chapter 18.21 and related chapters of the Omak Municipal Code.

Under the SMA each city and county that includes "Shorelines of the State" must adopt a Shoreline Master Program (SMP) that is based on state laws and rules but may be tailored to the specific needs of the community. The SMP is essentially a shoreline comprehensive plan (that is, a planning document – this section) and zoning ordinance (that is, a regulatory document – Chapter 18.21 OMC) applicable to shoreline areas and customized to local circumstances.

SMPs are developed and administered by local jurisdictions in partnership with the Washington State Department of Ecology (Ecology). Omak has developed this Shoreline Management Section of the Land Use Element and Chapter 18.21 OMC to reflect local conditions and meet local needs. Ecology reviews the programs prior to final adoption. In reviewing master programs, Ecology is limited to a decision on whether or not the proposed changes are consistent with the policy and provisions of the Act and the SMP guidelines.

Omak is responsible for administration of the SMP—that is, review project proposals, issue permits, and enforce shoreline regulations. Ecology reviews Shoreline Conditional Use Permits and Variances and may review some of the City’s other permit decisions.

Part 2– Land Use Element

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## SHORELINES OF THE STATE

**Figure 1.1 Defining Shoreline Jurisdiction**

Shorelines of the State can be divided into two categories: “Shorelines” and “Shorelines of Statewide Significance.”

Shorelines include:

* All streams and associated shorelands, together with the lands underlying them, beginning at the point where mean annual flow is 20 cubic feet per second (cfs) or more
* All lakes over 20 acres in size

Shorelines of Statewide Significance are those that have importance beyond the region; they are afforded special consideration.

In Omak, the Okanogan River, the City’s only shoreline, is a shoreline of statewide significance and thus must be afforded special consideration.

## SHORELINE JURISDICTION

Shoreline jurisdiction is the area to be managed under this Element and Chapter 18.21 OMC and is defined as follows:

* Upland areas that extend 200 feet from the ordinary high-water mark from the waters listed above measured on the horizontal; and
* The following areas when they are associated with those waters:
	+ Wetlands and river deltas; and
	+ 100-year floodplains

## DEPARTMENT OF ECOLOGY’S ROLE

Since the SMA requires a cooperative effort between state and local governments in the protection of shoreline resources, the Department of Ecology has a significant role in the development and implementation of this Master Program. Most of Ecology’s work involves providing technical assistance *prior* to a local decision and is focused in the following areas:

* Ecology shoreline specialists work with local planners on the phone, at pre-application meetings, and through site visits
* Ecology works with applicants to make sure the project does not harm shorelines—in many cases the project can be redesigned so that it meets the policies and regulations of the local master program
* Ecology often receives early notice of a project through SEPA, and works with applicants and local governments before the permit is issued.
* After the city issues its permits, Ecology has 21 days to review Substantial Development Permits and 30 days to review Conditional Use and Variance permits.
* Ecology’s role is to determine if the local action is consistent with the local Master Program and the policies of the Act
* If Ecology disagrees with a local decision on a Substantial Development Permit, Ecology must appeal the decision to the Shoreline Hearings Board
* Ecology must approve, approve with conditions or deny all Conditional Use or Variance permits
* Ecology’s decisions on Conditional Use or Variance permits may be appealed to the Shorelines Hearings Board

While the primary responsibility to enforce the SMA rests with the City, there exists a cooperative program between the local governments and Ecology. The cooperative program is to fulfill the duty to “ensure compliance.” Enforcement is done through a variety of means, including technical assistance visits, notices of correction, orders, and penalties and permit rescission.

## SMP GUIDELINES

Department of Ecology issues Shoreline Master Program Guidelines in WAC 173.26. Information regarding Shoreline Master Program updates. Procedures and policies including new guidelines and updates can be found at the following URLs:

History and links. Include link to history: [http://www.ecy.wa.gov/programs/sea/sma/guidelines/downloads/SMA\_History.pdf.](http://www.ecy.wa.gov/programs/sea/sma/guidelines/downloads/SMA_History.pdf)

Ecology site with link, background: <http://www.ecy.wa.gov/programs/sea/SMA/guidelines/index.html>

State master program approval/amendment procedures and master program guidelines (WAC 173-26): [http://apps.leg.wa.gov/WAC/default.aspx?cite=173-26.](http://apps.leg.wa.gov/WAC/default.aspx?cite=173-26)

## SHORELINE MODIFICATIONS

Shoreline modifications are generally related to construction of a physical element such as a dike, breakwater, dredged basin, or fill, but they can include other actions such as clearing, grading, application of chemicals, or significant vegetation removal. Shoreline modifications are usually undertaken in support of or in preparation for a shoreline use; for example, fill (shoreline modification) to allow for a public access. All shoreline uses and activities, even those that are exempt from the requirement to obtain a shoreline substantial development permit, and regardless of the Shoreline Designation in which they are undertaken, must conform to all of the applicable policies and regulations listed in this Element and Chapter 18.21 OMC. For example, a residential development project that included docks and roads would need to comply with the policies and regulations related to docks and roads as well as those related to residential development.

## SHORELINE STABILIZATION

Shoreline stabilization includes actions taken primarily to address erosion impacts to upland property and improvements caused by current, wake, or wave action. Those actions include structural, nonstructural, and vegetative methods.

Structural stabilization may be “hard” or “soft.” “Hard” structural stabilization measures refer to those with solid, hard surfaces, such as concrete bulkheads, while “soft” stabilization, such as biotechnical vegetation measures, rely on softer materials. There is a range of measures from soft to hard that includes: upland drainage control, biotechnical measures, anchor trees, gravel placement, riprap, retaining walls, and bulkheads. Generally, the harder the stabilization measure, the greater the impact on shoreline processes.

Non-structural methods include placing the development further from the shoreline, planting vegetation, or installing on-site drainage improvements, established building setbacks, ground water management, and planning and regulatory measures to avoid the need for structural stabilization as established in this Element and Chapter 18.21 OMC.

Vegetative methods include re-vegetation and vegetation enhancement. In addition, vegetation is often used as part of structural stabilization methods; it is always part of biotechnical stabilization. For the purposes of this section, vegetative methods are considered to include only re-vegetation and vegetation enhancement.

## INVENTORY, ANALYSIS, AND CHARACTERIZATION

The SMA requires that all shoreline areas subject to regulation have been inventoried to characterize existing shoreline function to develop a baseline that can be used to measure the no net loss standard against. The inventory is intended to capture opportunities for restoration, public access, and shoreline use patterns. This information informed development of the designations applied to the shoreline areas in the City. More information on the characterization is located in Shoreline Appendix A and in Part B of this element.

## CRITICAL AREAS

The City is required to designate critical areas by the Growth Management Act, RCW 36.70A and is required to regulate development in critical areas within shoreline jurisdiction through the Shoreline Master Program (See Chapter Part 2 Land Use Element Section 5 Resource Lands and Critical Areas for more detail on critical areas in Omak and the Urban Growth Area). Critical Areas include the following areas and ecosystems, as designated by the city:

* wetlands;
* areas with a critical recharging effect on aquifers used for potable water;
* aquatic, riparian, upland and wetland Fish and Wildlife habitat conservation areas;
* frequently flooded areas, including Channel Migration Zones;
* Geologically hazardous areas.

Critical areas within shoreline jurisdiction will be regulated under Chapter 18.21 OMC. Those areas outside shoreline jurisdiction will be regulated under Chapter 18.20 OMC.

Maps A-6 through A-11 in the Map Appendix designate each type of Critical Area within the City and Urban Growth Area. It should be noted that the city lies on the shoreline of the Okanogan River with all of the developed areas of the City protected by an Army Corps of Engineer certified flood control levee.

## SHORELINES MANAGEMENT GENERAL POLICIES AND CONCEPTS

**General Policies:** The SMA establishes three general policies: **Protect shoreline natural resources**

…including “..the land and its vegetation and wildlife, and the water of the state and their aquatic life... ”

**Encourage water-dependent uses** Accommodate reasonable and appropriate uses:

“uses shall be 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 states' shorelines...”

### Promote public access

“…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.”

**Concepts:** The SMA also considers the following important concepts: **Property rights**

RCW 90.58.020: “It is the policy of the state to provide for the management of the shorelines of the state by planning for and fostering all reasonable and appropriate uses. This policy is

designed to ensure the development of these 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. This policy contemplates protecting 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.”

### No net loss

“The point of the no net loss requirement is that local governments need to show that everything permitted under the new SMP, both on a project-by-project and cumulative basis, won't create a net loss of ecological functions. It's not that the SMP has to fix everything that happened before (including ongoing impacts), just that it can't create any NEW loss of ecological function.”

On a project specific basis, the City will require mitigation measures to achieve the no net loss standards under the shoreline master program. The mitigation measures will be considered as outlined below in order of descending preference:

* + 1. Avoiding the impact altogether by not taking a certain action or parts of an action;
		2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts;
		3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
		4. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;
		5. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments;
		6. Monitoring the impact and the compensation projects and taking appropriate corrective measures.

### Preferred uses

The SMA establishes the concept of *preferred uses* of shoreline areas. In order to balance the public’s enjoyment of shorelines with “the overall best interest of the state and the people generally”, the SMA gives preference to uses that:

* + - * Are consistent with pollution control;
			* Are consistent with prevention of damage to the natural environment; or
			* Are unique to or dependent upon use of the state's shoreline

The Act goes on to say that ’Preferred’ uses include single family residences, ports, shoreline recreational uses, water dependent industrial and commercial developments and other developments that provide public access opportunities. To the maximum extent possible, the shorelines should be reserved in the following order of preference:

Water-oriented uses

Water oriented uses are water-dependent, water-related, or water-enjoyment, or a combination of such uses. Each of these types of water-oriented use is described in detail below.

Water-dependent uses

Water-dependent uses are uses or a portion of a use that cannot exist in a location that is not adjacent to the water and which is dependent on the water by reason of the intrinsic nature of its operations, such as portions of a marina or a hydroelectric generation facility.

Water-related uses

Water-related uses are those that must be located in shoreline areas in order to be economically viable. “Water-related use” means a use or portion of a use which is not intrinsically dependent on a waterfront location but whose economic viability is dependent upon a waterfront location because:

1. The use has a functional requirement for a waterfront location such as the arrival or shipment of materials by water or the need for large quantities of water; or
2. The use provides a necessary service supportive of the water-dependent uses and the proximity of the use to its customers makes its services less expensive and/or more convenient.

Water-enjoyment uses

Water enjoyment uses such as a recreational use or other use that facilitates public access to the shoreline as a primary characteristic of the use; or a use that provides for recreational use or aesthetic enjoyment of the shoreline for a substantial number of people as a general characteristic of the use and which through location, design, and operation ensures the public's ability to enjoy the physical and aesthetic qualities of the shoreline.

In order to qualify as a water-enjoyment use, the use must be open to the general public and the shoreline-oriented space within the project must be devoted to the specific aspects of the use that fosters shoreline enjoyment.

### Exempt uses

Exempt activities are defined in 173-27.040 WAC. An exemption from a permit process is not an exemption from compliance with the Act or the shoreline master program, or from any other regulatory requirements. Regulations for exempt activities are found in 18.21.050 OMC.

**Conforming and non-conforming uses, structures and lots** Conforming uses, structures and lots

A conforming use, structure or lot is compliant with current regulations in Chapter 18.21 OMC.

Non-conforming uses

Nonconforming uses are uses and developments that were legally established and are nonconforming with regard to the use regulations of Chapter 18.21 OMC may continue as legal nonconforming uses.

Non-conforming structures

A nonconforming structure is a lawful structure existing at the effective date of the adoption of Chapter 18.21 OMC that could not be built under the terms of this code or any amendment thereto. Residential and appurtenant structures that were legally established and are used for a conforming use, but that do not meet standards for the following to be considered a conforming structure: setbacks, buffers, or yards; area; bulk; height; or density; and redevelopment, expansion, change with the class of occupancy, or replacement of the residential structure if it is consistent with this Section and Chapter

18.21 OMC, including requirements for no net loss of shoreline ecological functions shall not be considered nonconforming.

Non-conforming lots

A nonconforming lot is an undeveloped lot, tract, parcel, site, or division of land which was established in accordance with local and state subdivision requirements prior to the effective date of the Act or this Section and Chapter 18.21 OMC, but which does not conform to the present lot size standards, may be developed if permitted by other land use regulations of the responsible local government and so long as such development conforms to all other requirements of this Section, Chapter 18.21 OMC and the Act.

### Ecological Function and Value

As one of the guiding policies of the SMA, basic policy # 1 requires the protection of shoreline natural resources including the land and its vegetation and wildlife, and the water of the state and their aquatic life. Whenever the terms “shoreline functions and values” are used, it shall refer to the ecological function and ecological value as described below.

Similarly, this Section and Chapter 18.21 OMC are required to ensure no net loss in ecological function and value as established below:

Ecological Function

Ecological Function encompasses the ecological processes and interactions that occur within an ecological community. Ecological function includes:

* Provision of habitat for native biota;
* Provision of food and other resources for native biota;
* Maintenance of interactions between species (e.g., pollination, dispersal, mutualism, competition, predation)
* Cycling, filtering and retention of nutrients;
* Carbon storage or sequestration;
* Maintenance of soil processes;
* Maintenance of catchment scale hydrological and geochemical processes; and
* Maintenance of landscape scale ecological processes. Ecological Value

Ecological Value attributes include productivity, the ability to provide habitats for dependent species and the diversity of species and organization they support.

### Riparian areas or zones

Riparian means “*streamside*.” Riparian areas include the land adjacent to lakes, rivers and streams, the vegetation above it, and the groundwater area beneath it. Riparian areas arethree-dimensional ecotones of interaction that include terrestrial and aquatic ecosystems that extend into the groundwater, up above the canopy, outward across the floodplain, up the near-slopes that drain to the water, laterally into the terrestrial ecosystem, and along the water course at a variable width. Riparian areas are particularly important to shoreline health because they are ecotones—transition areas between different ecosystems. Ecotones tend to display higher diversity than either of the adjacent ecosystems because they have characteristics of both of them. Riparian areas are no exception. Because they are low-lying and close to the watertable, they offer damp, fertile soil that typically supports more vegetation than either the water or the land alongside it. That vegetation provides habitat elements such as food and cover for many species of animals. The zone as a whole provides

important ecological function and values including streamside habitat that supports in stream function and values such as cool water via shade, organic matter, nutrient cycling, and habitat structure for terrestrial species.

In areas where no riparian vegetation exists due to shoreline modifications (as is the case landward of the flood control levees throughout most of Omak’s shoreline areas), riparian zones do not occur. Treatment of these highly altered riparian areas should consider the communities desire to utilize the shoreline for a wide range of residential and commercial uses.

### Upland

The portion of the landscape above the valley floor and/or any area that does not qualify as a wetland because the associated hydrologic regime is not sufficiently wet to elicit development of vegetation, soils and/or hydrologic characteristics associated with wetlands. Such areas in floodplains are more appropriately termed non-wetlands. Uplands are also often used in relationship to streamside areas that do not have wetlands (see riparian definition above).

Upland Habitat

Upland Habitat is the dry habitat zones adjacent to and landward of bodies of water.

### Public Access

Shoreline 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 the ability to have a view of the water and the shoreline from adjacent locations. Public access can include (but is not limited to) picnic areas, pathways and trails, viewing towers, bridges, boat launches, street ends, ingress and egress, and parking. Visual access can also include (but is not limited to) view corridors between buildings.

### Instream Structures

In-stream structures are structures placed by humans within a stream or river waterward of the ordinary high-water mark that either causes or has the potential to cause water impoundment or the diversion, obstruction, or modification of water flow. In-stream structures may include those for hydroelectric generation, irrigation, water supply, flood control, transportation, utility service transmission, fish habitat enhancement, or other purpose.

### Clearing and Grading

Clearing and grading are activities associated with developing property for a particular use. Specifically, "clearing" means the destruction, uprooting, scraping, or removal of vegetative ground cover, shrubs, and trees. "Grading" means the physical manipulation of the earth's surface and/or surface drainage pattern without significantly adding or removing on-site materials. "Fill" means placement of dry fill on existing dry or wet areas and is addressed later in this section.

Clearing and grading are regulated because they may increase erosion, siltation, runoff, and flooding, change drainage patterns; reduce flood storage capacity; and damage habitat. All clearing and grading within areas under shoreline jurisdiction, even that which does not require a permit, must be consistent with the Shoreline Management Act, the Department of Ecology rules implementing the Act, and the goals and policies within this Section and regulations in Chapter 18.21 OMC.

### Dredging and Material Disposal

Dredging is the removal or displacement of earth or sediments such as gravel, sand, mud, silt, and/or other materials or debris from any water body or associated shoreline or wetland.

Dredging is normally done for specific purposes such as constructing or maintaining canals, navigation channels, or marinas, for installing pipelines or cable crossings, or for dike or drainage system repair and maintenance. Dredge material disposal is the depositing of dredge materials on land or into water bodies for the purposes of either creating new lands or disposing of the by-products of dredging. Dredge material disposal within shoreline jurisdiction is also subject to the filling policies later in this section.

### Fill

Fill is the addition of soil, sand, rock, gravel, sediment, earth retaining structure, or other material to an area waterward of the ordinary high-water mark, in wetlands, or on shorelands, including channel migration areas, in a manner that raises the elevation or creates dry land. Fill does not include sanitary landfills for the disposal of solid waste.

### Bulkheads

A bulkhead is a type of hard structural shoreline stabilization measure. Bulkheads are walls, constructed parallel to the shoreline and usually in contact with the water, whose primary purpose is to contain and prevent the loss of soil caused by erosion or wave action. A bulkhead-like structure used as part of the structure of a cantilevered dock is not regulated as a bulkhead as long as the width is no more than what is required to stabilize the dock.

Certain bulkheads are exempt from the requirement to obtain a shoreline substantial development permit. However, all bulkheads must comply with the Shoreline Management Act, the rules implementing the Act, this Section and Chapter 18.21 OMC.

### Vegetation Conservation

Vegetation conservation includes activities to prevent the loss of plant communities that contribute to the ecological functioning of shoreline areas. The intent of vegetation conservation is to provide habitat, improve water quality, reduce destructive erosion, sedimentation, and flooding; and accomplish other functions performed by plant

communities along shorelines. Vegetation conservation deals with the protection of existing diverse plant communities along the shorelines, aquatic weed control, and the restoration of altered shorelines by reestablishing natural plant communities as a dynamic system that stabilizes the land from the effects of erosion.

Vegetation conservation provisions are important for several reasons, including water quality, habitat, and shoreline stabilization. Shoreline vegetation improves water quality by removing excess nutrients and toxic compounds, and removing or stabilizing sediments.

Habitat functions of shoreline vegetation include shade, recruitment of vegetative debris (fine and woody), refuge, and food production. Shoreline vegetation, especially plants with large root systems, can be very effective at stabilizing the shoreline.

Vegetation conservation regulations apply even to those uses that are exempt from the requirement to obtain any sort of shoreline permit. A comprehensive list of native plant species is found in Appendix B.

### Channel Migration Zones

River channels can move, or migrate, laterally across their floodplains. Channel migration can occur gradually, as a river erodes one bank and deposits sediment along the other.

Channel migration also can occur as an abrupt shift of the channel to a new location, called an avulsion, which may happen during a single flood event. The highest rates of channel migration occur in zones of rapid sediment deposition, e.g., where steep rivers flow out of foothills onto flatter floodplains. Channel migration represents a different type of flood hazard than inundation by overbank flow, and can endanger properties located outside of the regulatory floodplain. The channel migration zone (CMZ) refers to the geographic area where a stream or river has been and will be susceptible to channel erosion and/or channel occupation.

See <http://www.ecy.wa.gov/programs/sea/sma/st_guide/jurisdiction/CMZ.html> for more information.

* Within incorporated municipalities and urban growth areas, areas separated from the active river channel by legally existing artificial channel constraints that limit channel movement should not be considered within the channel migration zone.
* All areas separated from the active channel by existing artificial structure(s) that is likely to restrain channel migration, including transportation facilities, built above or constructed to remain intact through the one hundred-year flood, should not be considered to be in the channel migration zone.

### Restoration

The governing principals of the shoreline update guidelines requires cities containing shorelines with impaired ecological functions to provide goals and policies to guide the restoration of those impaired shorelines. The regional shoreline staff and advisory committee compiled a list of potential restoration sites using data obtained during the inventory phase of the master program update, which identified impaired shoreline areas. Ongoing restoration efforts were included with the inventoried sites to create a comprehensive list of potential restoration opportunities. General and specific goals and policies have been developed and are listed below to address restoration of these various areas. See Appendix C for Omak’s Restoration Plan.

# THE OMAK SMP

## INTRODUCTION

The City of Omak straddles the Okanogan River; a Shoreline of Statewide Significance. The east side of the Okanogan River is located within the reservation of the Colville Confederated Tribes (CCT) and governed cooperatively under a formal Land Use Planning Agreement between the City and Tribes.

## APPLICABILITY

The City of Omak Shoreline Master Program, comprised of this Element of the Omak Comprehensive Plan and Chapter 18.21 OMC applies to all lands owned by private parties and public agencies including, but not limited to, individuals, corporations, trusts, partnerships, Federal (federal activities on federal lands are exempt), State, County, Public Utility Districts and Municipal lands within the incorporated boundary of the city of Omak and is subject to administrative review for any development activities owned by public agencies within the city limits.

This Element and Chapter 18.21 OMC regulates shorelines within the incorporated limits of the city of Omak. Shoreline Areas in the adopted UGA are “predesignated” with the shoreline designation that will apply upon annexation of the area. However, until such time, those areas will be designated and regulated under the Okanogan County SMP as it exists or is amended.

## BACKGROUND

This Plan Element and Chapter 18.21 of the OMC resulted from an update of the City’s original 1991 SMP. The update process began in 2006 as a cooperative inter-governmental process between Okanogan County and incorporated municipalities therein. The process, funded with grants from the Department of Ecology, included the formation of a Shoreline Advisory Group (SAG), a Technical Advisory Group (TAG) and a team of consultants who provided the facilitation, planning and scientific analysis required for preparation of a draft Regional SMP.

The Okanogan County Regional SMP never made it past the preliminary draft stage as the County and cities and towns began going in different directions with Omak electing to continue working with the other municipalities in Okanogan County on completion and refinement of the draft based on early comments from the Department of Ecology.

The City’s Planning Commission then conducted a thorough review of the complete Draft Cities and Towns SMP tailoring it for Omak and addressing additional comments from the Department of Ecology. After public hearings before the Planning Commission and City Council, an updated SMP was officially submitted to Ecology in June of 2011. However, due to miscommunication, the City’s submittal was not recorded and a staff change occurred. As a result, a new round of discussions and revisions ensued which concluded with adoption of this Shoreline Management Section of the City of Omak Comprehensive Plan and Chapter 18.21 Shorelines in the Omak Municipal Code.

## SHORELINE CHARACTERIZATION

Omak’s shoreline area runs from RM 35 near the northern boundary of the Urban Growth Area downstream to RM 27.5 at the city of Okanogan’s northern limits and UGA at Shellrock Point. The river through Omak takes on a variety of characteristics ranging from free flowing and complex along the southern reaches, to a more simplified channel armored by Corps of Engineers levees through the core of the city. Topographic gradients are extreme along the banks through the central portion of the city. In the southern portion, low lying private and tribal properties and city owned property known as Aston Island support active side channels that contain robust wetlands. Travelling upstream, this wilder portion gives way to a constrained portion where a flood control levees line both sides of the shoreline through the downtown, where uses include residential, recreational and commercial developments. Riparian vegetation is somewhat established between the armored banks and the OHWM throughout this reach. The Omak Eastside Park and Stampede Grounds is an important recreational and cultural site in this zone. Public access exists at the Stampede Grounds as well as at Aston Island and Pioneer Park.

The northern reaches of shoreline through Omak’s UGA contain rural residential development in the floodplain amidst a unique landscape pocked by massive boulder deposits. The northern portion has limited public access and varying vegetative widths.

It is important that the shoreline designations and regulations applied in this Section and Chapter 18.21 OMC recognize existing structures and uses, as well as the City’s future land use plans.

## OMAK SHORELINE MANAGEMENT GOALS AND POLICIES

### Shoreline General Goals

* + 1. Provide for the use, development, protection and enhancement of shoreline areas in compliance with the requirements of the Shoreline and Growth Management Acts.
		2. Shoreline management planning and regulation take place in a context that includes comprehensive land use, economic development, critical areas protection, flood hazard management, salmon recovery, outdoor recreation, public utilities and watershed planning. The intent is to enhance the efficiency and effectiveness of natural resource planning processes through coordination.
		3. Develop and implement permitting and management practices that will ensure the sustainability of natural shoreline systems and preserve, protect and restore unique and non-renewable resources or features including critical areas.
		4. Ensure that there is no net loss of the functions and values provided by shoreline and critical areas.
		5. Provide for reasonable and appropriate use of shoreline and adjacent land areas while:
			- Preserving and restoring shoreline natural resources, and protect those resources against adverse impacts, including loss of ecological functions necessary to sustain the natural resources.
			- Protecting against adverse effects to the public health, the land and its vegetation and wildlife, and the waters of the state and their aquatic life;
			- Minimizing damage to the ecology, environment, critical areas and other resources of the shoreline area;
			- Minimizing interference with the public’s use of the water; and
			- Balancing public interest with protection of private property rights.
		6. Encourage a diversity of shoreline uses, consistent with the city of Omak’s evolving economy, patterns of land use and comprehensive plan.
		7. Sustained yield of shoreline natural resources—such as fish, groundwater and agricultural products—consistent with preservation of ecological functions and protection of the public interest in shorelines of the state should be protected.
		8. Avoid costly litigation that may occur as a result of non-compliance with state and federal laws.

### Shoreline General Policies

1. Shorelines regulations should not deny all economic use of any property, except as the public trust doctrine would limit the use of the property. This policy should be implemented through the appropriate application of methods including but not limited to project design standards, site specific evaluation, mitigation, and variances.
2. The background, goals and policies for shorelines management should be integrated into the Land Use Element of the Omak Comprehensive Plan
3. The standards and regulations for protection of shoreline areas should be integrated into the Omak Municipal Code.
4. Where practical, shoreline management planning and regulation should be coordinated with other natural resource planning efforts (local, state, federal and tribal), including critical areas protection, affecting the cities of Omak and Okanogan, Okanogan County and Colville Tribes; a comprehensive system of consistent policies and regulations is the desired outcome.
5. The city of Omak recognizes and honors the sovereignty of the Confederated Tribes of the Colville Reservation (CCT) and the tribal government’s authority over lands within the exterior boundary of the Colville Indian Reservation. In administering this SMP, Omak should defer to its Intergovernmental Land Use Planning Agreement with the Colville Tribes when addressing shoreline management issues on tribal trust lands outside the boundaries of the Colville Indian Reservation.
6. As part of a comprehensive approach to management of critical freshwater habitat and other river and stream values, the city encourages the integration of the provisions herein, including those for critical areas, shoreline stabilization, fill, vegetation conservation, water quality, flood hazard reduction, and specific uses, to protect human health and safety and to protect and restore the corridor's ecological functions and ecosystem-wide processes into other parts of the Omak Municipal Code.
7. In designating shoreline areas on public-owned land, the city of Omak should consider the uses planned, local and specific agency plans and potential leases for private uses and activities by the agency with management authority.
8. Development and uses within shoreline areas should be conditioned to ensure that the proposed use or activity does not result in unanticipated or undesired impacts to other property owners (such as increased flood or geohazards to other property(ies), either upstream, downstream and across the stream), or result in loss of shoreline ecological functions.
9. Shoreline uses and activities should be compatible with existing and planned uses on surrounding sites and in adjacent designations.
10. Permitted uses and activities should be located, sited, designed, managed, and maintained to be compatible with the shoreline designation where they are located and be protective of shoreline ecological resources, including the following:
	* Water quality;
	* Visual, cultural and historic characteristics;
	* Physical resources (including soils);
	* Biological resources (including vegetative cover, wildlife, and aquatic life);
	* Ecological processes and functions;
	* Critical areas; and
	* The natural character of the shoreline area.
11. Any use or activity that cannot be designed, mitigated and/or managed to prevent a net loss of shoreline ecological functions, values and resources and that are not designed to protect the integrity of the shoreline environment should be prohibited.
12. Shoreline regulations should favor preservation of resources and values of shorelines for future generations over development that would irrevocably damage shoreline resources.
13. Development standards, including setbacks, densities, height and bulk limits and/or minimum frontage standards, should be established to ensure that new development results in no net loss of shoreline ecological functions. Criteria considered in establishing those standards should include, but not be limited to, the following:
	* Biophysical limitations and ecological functions and values of the shoreline area;
	* Existence of critical areas;
	* Surrounding development characteristics and land division pattern;
	* Level of infrastructure and services available or planned; and
	* Other comprehensive planning considerations.
14. New uses and activities should be restricted to those that will not require extensive alteration of the land-water interface. Construction of shoreline stabilization works should be avoided. New uses and activities should be designed to preclude the need for

such works. In those limited instances in which such works are found to be in the public interest and are allowed, impacts should be mitigated.

1. No new uses should be allowed in wetlands, shoreline riparian vegetation conservation areas or their buffers without following mitigation sequencing.
2. The scenic and aesthetic quality of shorelines and vistas should be preserved to the greatest extent feasible.
3. Reasonable setbacks, buffers, and stormwater management systems should be required for all shoreline development.
4. Unique, rare, fragile, and scenic natural features or landscapes should be preserved and protected from shoreline development activities.
5. Natural plant communities within and bordering shorelines should be protected and maintained to ensure no net loss of shoreline ecological functions.
6. Natural shoreline vegetation should be maintained and enhanced to reduce the hazard of bank failures and accelerated erosion. Vegetation removal that is likely to result in soil erosion severe enough to create the need for structural shoreline stabilization measures should be prohibited.
7. Restoration of degraded shoreline vegetation, whether by natural or manmade causes, should be encouraged wherever feasible.
8. Non-structural and “soft” methods of shoreline stabilization, such as vegetation enhancement and bioengineering, are preferred to hardened structures to control the processes of erosion, sedimentation, and flooding. Along the shoreline, these methods can only be done to protect legally established structures, development, utilities and other infrastructure (e.g. roads). The need for bank stabilization should show that the erosion/migration processes are beyond natural rates through geotechnical evaluation. Allowed shoreline stabilization structures should be designed as to not interfere with natural hydrologic and geomorphic processes.
9. Development should comply with local stormwater management regulations or the Stormwater Management Manual for Eastern Washington (Washington Department of Ecology Publication 04-10-076, as amended) whichever will provide the greatest protection of shoreline functions.
10. Removal of vegetation should be limited to the minimum necessary to reasonably accommodate the permitted use or activity.
11. The physical and aesthetic qualities of the natural shoreline should be maintained and enhanced.
12. Preference should be given to preserving and enhancing natural vegetation closest to the ordinary high-water mark.
13. Aquatic weed management should emphasize prevention as a first step in control and utilize science-based monitoring to determine eradication methods.
14. Standards to ensure that new development does not result in a net loss of shoreline ecological functions or further degradation of shoreline values should be established for shoreline stabilization measures, vegetation conservation, and shoreline modifications.
15. All shoreline developments should be designed, constructed, operated, and maintained to ensure no net loss of shoreline ecological functions and to protect areas and systems of cultural significance.
16. Commercial developments should include landscaping that will visually enhance the shoreline area and contribute to shoreline functions and values.

### Shoreline Economic Development Goals

1. Ensure healthy, orderly economic growth by providing for economically productive industrial, commercial and mixed uses that are particularly dependent on or related to a shoreline location.

### Shoreline Economic Development Policies

1. Activities and uses in shoreline areas should result in long-term over short-term benefits to the local economy.
2. Projects of statewide economic interest such as hydroelectric development, water storage, port facilities, (including sites intended to accommodate recreation) and other developments that are particularly dependent on or related to a shoreline location or use of the shorelines of the state should be accommodated where such uses and the associated activities can be accomplished without irrevocable damage to unique shoreline character, its resources and ecological functions.
3. Proposed hydroelectric projects should be evaluated in the context of shoreline ecological functions, public access, and navigation, and should be accommodated where said projects are consistent with the public interest and intent of the policies of the SMA.
4. Water-oriented commercial and mixed used developments that provide for public access and protect/restore and/or enhance shoreline resources should be encouraged on shorelines.
5. Non-water-oriented commercial uses should be prohibited unless the use entails reuse of an existing structure or developed area, is consistent with the comprehensive plan and complies with zoning regulations, is part of a project that provides significant public benefit with respect to SMA objectives or is physically separated from the shoreline by a public right of way or separate developed property. Such projects should not unnecessarily impair or detract from the public's physical or visual access to the water.

### Shoreline Public Access, Circulation and Recreation Goals

1. Provide, protect, and enhance physical and visual public access to shoreline areas, consistent with the natural character, features, and resources of the shoreline, private property rights, and public safety.
2. Provide for public and private active and passive recreational use of shoreline areas.
3. Develop a safe, reasonable, and adequate vehicular and pedestrian circulation and access system, designed to minimize adverse effects on shoreline resources and ecological function wherever practical.
4. Develop a multi-modal circulation and access system that, where practical, contributes to the functional and visual enhancement of shoreline resources.
5. Preserve, create, or enhance open space and natural amenities associated with shorelines for the benefit of the public health and wellbeing which are often lost to waterfront development.
6. Protect the rights of navigation. **Shoreline Public Access and Recreation Policies**
7. The Omak Shoreline Master Program, locally adopted comprehensive plans and any standalone elements thereof (e.g. Okanogan County Trails Plan, Colville Tribes Recreation Management Plan, City of Omak Park and Recreation Plan) should be considered the official public access plans.
8. Omak’s shoreline area public access systems should include provisions for people of all abilities. While it may not be practical to provide specialized facilities at all access points, physical and visual access for people of all abilities should be distributed throughout the system and should provide a variety of opportunities representative of the opportunities available to able-bodied users.
9. All developments, uses, and activities on or near the shoreline should, to the extent practical, not impair or detract from the public's physical or visual access to the water.
10. Provision of public access should result in no net loss of shoreline ecological functions.
11. Public access to the shorelines afforded by street ends, public utilities, and rights-of-way should be inventoried, preserved, maintained, and, where consistent with locally adopted access plans, enhanced.
12. Public access facilities should be located and designed to provide for public safety and minimize potential impacts to private property and individual privacy. Where appropriate, there should be a physical separation or other means of clearly delineating public and private space to avoid unnecessary user conflict.
13. Where public access facilities are provided, they should be located and designed to minimize potential impacts to existing and potential uses and activities.
14. Where providing public access on site that would likely cause impacts difficult or impossible to mitigate—for instance, at sites with unique or fragile geological or biological characteristics—the SMP should encourage off-site public access based on opportunities identified in the *Shoreline Characterization Report* (see Shoreline Appendix A) and other adopted documents.
15. Public views of the shoreline from upland areas should be protected from new development where, not in conflict with permitted uses and activities. Enhancement of views should not be interpreted as authorizing excessive removal of vegetation that impairs views.
16. When large subdivisions, planned developments and/or binding site plans containing 5 or more lots or units are proposed in shoreline areas, public open space and shoreline access should be encouraged and be commensurate to the impacts of the proposed development as well as, consistent with locally adopted comprehensive plans and, meet new needs that will be generated by the proposed development. Where possible the public open space requirements provided in this Section and Chapter 18.21 OMC should be integrated with any open space requirements in local land use regulations. Innovative public access proposals are encouraged.

### Shoreline Historic, Cultural, Scientific, and Educational Goals

1. Recognize and protect important archaeological, historic, and cultural structures, sites, and areas and other resources having historic, cultural, or educational values that are located in the shoreline area for educational, scientific, and enjoyment uses of the general public. (This goal recognizes that identification of some culturally sensitive sites may not be feasible. It is the city of Omak’s intention to exercise due diligence in protecting cultural and archaeological resources.)
2. Due to the limited and irreplaceable nature of the resource(s), prevent the destruction of or damage to any site having historic, cultural, scientific, or educational value as identified by the appropriate authorities, including affected Indian tribes, and the Washington State Department of Archaeology and Historic Preservation (DAHP).

### Shoreline Historic, Cultural, Scientific and Educational Policies

1. All uses and activities (public and private) should comply with local, state, federal, and tribal requirements for protection of any resources that have significant archeological, historic, cultural, scientific, or educational value as identified by the relevant authorities, including the Confederated Tribes of the Colville Reservation (CCT) and the Washington State Department of Archaeology and Historic Preservation (DAHP).
2. Where permitted by law, sites containing archaeological, cultural, and historic resources should be identified to avoid damage to the resources and the delay and expense associated with discovery of resources during development. Where disclosure of the location of such sites is restricted, relevant authorities, including the CCT and the DAHP should be notified of permit applications within 500’ (five hundred feet) of known archaeological and historic resources.
3. Development within 500’ (five hundred feet) of an identified historic, cultural, or archaeological site should be inspected or evaluated by a professional archaeologist, in coordination with affected Indian tribes, and designed and operated to be compatible with continued protection of the historic, cultural, or archaeological resources.
4. Archaeological sites located both inside and outside shorelines jurisdiction are subject to chapter 27.44 RCW (Indian graves and records) and chapter 27.53 RCW (Archaeological sites and records) and development or uses that may impact such sites shall comply with chapter 25-48 WAC as well as the provisions of this Element and Chapter 14.28 OMC. The provisions of this section apply to archaeological and historic resources that are either recorded at the state historic preservation office and/or by local jurisdictions or have been inadvertently uncovered. Additionally, these policies apply on any other sites identified by the DAHP or the CCT as having a high probability of containing

significant archaeological and historic resources, consultation with the DAHP and the CCT should be required before issuance of any permits or exemptions. This policy applies to all uses and activities, including individual single-family residences.

1. Where feasible, sites containing archaeological, cultural, or historic resources should be permanently protected and preserved for study, education, and public observation. Feasibility should be assessed in consultation with the CCT and the DAHP and in the context of the proposed development or activity, the location and planned use of the site, and the nature and quality of the shoreline resources present. The CCT and the DAHP should be consulted regarding possible impacts of public access and/or interpretation. In those places where access is deemed feasible and appropriate, such access should be designed and managed to protect the resources.
2. Access to educational, cultural, or historic sites should not reduce their resource value or degrade the quality of the environment.
3. Historic, cultural, and archaeological site development should be planned and carried out so as to prevent impacts to the resource. Impacts to neighboring properties and other shoreline uses should be limited to temporary and reasonable levels.
4. Sites deemed to have educational, cultural, or historic value should be prioritized for purchase or acquisition by gift to ensure their protection and preservation.
5. Significant educational or cultural features or historic sites should be prioritized for restoration to further enhance the value of the shorelands.

## SHORELINE MANAGEMEMENT SPECIFIC USE AND ACTIVITY POLICIES

### Agriculture

1. New agricultural uses should be allowed where they are consistent with the comprehensive plan and be subject to all applicable provisions of this Section and Chapter 18.21 OMC.
2. A vegetative buffer of native plants should be maintained, or established and maintained between agricultural lands and water bodies or wetlands in order to protect water quality and to maintain habitat for fish and wildlife.
3. Animal feeding operations, retention and storage ponds for agricultural run-off, feed lots, feed lot waste, and manure storage should be located outside of shoreline areas and constructed to prevent contamination of water bodies and degradation of the shoreline environment.
4. Appropriate farm and soil management techniques should be employed to prevent fertilizers, herbicides, and pesticides from contaminating water bodies and wetlands and from having a harmful effect on other shoreline resources such as vegetation and soil.
5. Provisions for public access to shorelines should not restrict current agricultural uses. In the event new public access poses a threat to on-going agricultural uses, the jurisdiction shall facilitate the coordination of activities between conflicting users of the shorelines.
6. Development on agricultural lands not meeting the definition of agricultural activities or the conversion of agricultural land to nonagricultural uses should be consistent with the shoreline designation and the general and specific use regulations of this Section and Chapter 18.21 OMC and should not result in a net loss of ecological functions.

### Aquaculture

1. Aquaculture should be prohibited in all shoreline designations. **Boating Facilities**
2. Boating facilities (ramps and floats) should be located, designed, and operated to provide maximum feasible protection and enhancement of aquatic and terrestrial life including animals, fish, birds, plants, and their habitats and migratory routes.
3. Boating facilities, including minor accessory buildings and haul-out facilities, ~~shall~~ should be in character and scale with the surrounding shoreline and ~~shall~~ should be designed so their structures and operations will be aesthetically compatible with or will enhance existing shoreline features and uses. Boating facilities should be proposed at the time of subdivision or planned development application.
4. Boating facilities should be located and designed so their structures and operations will be aesthetically compatible with the area visually affected and will not unreasonably impair shoreline views. Use of natural non-reflective materials should be encouraged.
5. Public and community (private) boating facilities are preferred over individual private facilities.
6. Individual private launches/ramps for motorized watercraft should be prohibited.
7. Community or group facilities should be required of developments that serve at least four dwelling units.
8. Private and/or commercial boating facilities should be sited in the appropriate environmental designation.
9. Regional as well as local needs should be considered when determining the location of boat launches and floats. Potential sites should be identified near high-use or potentially high-use areas.
10. Dry boat storage should not be considered a water-oriented use. Boat launch ramps, and access routes associated with a dry boat storage facility should, however, be considered to constitute a water-oriented use.
11. Because docks can have a significant impact on shoreline habitat and functions, they should not be allowed in the shorelines of Omak.
12. New commercial docks and marinas should be prohibited.
13. Buoys associated with boating facilities should not impede existing navigational routes, infringe on swimming beaches, or other public access areas. Buoys should be limited to the minimum number needed to provide moorage to the development.

### Commercial Uses

1. New commercial development in shoreline areas should be consistent with the applicable local Comprehensive Plan.
2. Because shorelines are a limited resource, preference should be given to water-dependent and oriented uses, especially those uses particularly dependent on a shoreline location or those that will provide the opportunity for substantial numbers of people to enjoy the shoreline.
3. Over-water construction for non-water-dependent commercial developments should be prohibited.
4. Commercial development should be designed to provide physical or visual shoreline access or other opportunities for the public to enjoy the shoreline location. Public access should include amenities appropriate to the type and scale of the development and the qualities and character of the site, which may include walkways, viewpoints, restrooms, and other recreational facilities. Where possible, commercial facilities should be designed to permit pedestrian waterfront activities.
5. Site plans for commercial developments should incorporate multiple-use concepts that include open space and recreation where appropriate to the scope and scale of the project.
6. Commercial developments should be aesthetically compatible with the surrounding area. Aesthetic considerations should be actively promoted by means such as sign control regulations, appropriate development siting, screening and architectural standards, planned unit developments, and landscaping with native plants, including, where appropriate, enhancement of natural vegetative buffers.

### Industrial Uses

1. No new non-water-dependent industrial development should be allowed to locate within shoreline areas except when:
	* The use entails reuse of an existing structure or developed area.
	* The use is consistent with the comprehensive plan and zoning regulations.
	* The use is part of a mixed-use project that includes water-dependent uses and provides a significant public benefit with respect to the Shoreline Management Act's objectives such as providing public access and ecological restoration; or
	* Navigability is severely limited at the proposed site; and the industrial use provides a significant public benefit with respect to the Shoreline Management Act's objectives such as providing public access and ecological restoration.
	* In areas designated for industrial use, nonwater-oriented industrial uses can be allowed if the site is physically separated from the shoreline by another property, public right of way or entails the reuse of an existing structure or developed area.
2. New industrial development in shoreline areas should be consistent with the city of Omak Comprehensive Plan and should be located to minimize sprawl and inefficient use of shoreline areas and, where applicable, to promote trip reduction.
3. New over-water construction for industrial uses should be prohibited unless it can be shown to be essential to a water-dependent industrial use.
4. New industrial development should be designed to provide physical or visual shoreline access or other opportunities for the public to enjoy the shoreline location unless such access would be incompatible for reasons of safety, security, or impact to the shoreline environment. Where public access is incompatible with the proposed use, any loss of public access opportunity should be mitigated. Where public access is provided, it should include amenities appropriate to the type and scale of the development and the qualities and character of the site, which may include walkways, viewpoints, restrooms, and other recreational facilities. Where possible, industrial developments should be designed to permit pedestrian waterfront activities.
5. Site plans for industrial developments should incorporate multiple-use concepts that include open space and recreation where appropriate to the scope and scale of the project.
6. To the extent feasible, industrial developments should be aesthetically compatible with the surrounding area. Aesthetic considerations should be actively promoted by means such as sign control regulations, appropriate development siting, screening and architectural standards, planned unit developments, and landscaping with native plants, including, where appropriate, enhancement of natural vegetative buffers.

### In-stream Uses or Structures

1. In-stream structures for the benefit of the public should be permitted and subject to all state and federal regulations for in-stream uses,
2. Any permitted in-stream structure should provide for the protection and preservation of ecological and ecosystem-wide services including, but not limited to, fish and fish passage, wildlife and water resources, shoreline critical areas, hydrogeological processes, and natural scenic vistas.
3. In-stream structures for the benefit of fish enhancement and recovery adjacent to or visible from public-owned shorelines, including bridges and overlooks, should incorporate a public education element.
4. The location and planning of in-stream structures should give due consideration to the full range of public interests, watershed functions and processes, and environmental concerns, with special emphasis on protecting and restoring priority habitats and species.

### Mining

1. Commercial mining should be prohibited. Mineral prospecting and placer mining should be allowed subject to the *Gold and Fish Rules and Regulations* as they now exist or hereinafter amended.

### Municipal Uses

1. New municipal uses in shoreline areas should be consistent with the comprehensive and recreation plans of the city of Omak.
2. No municipal uses should be allowed in wetlands, shoreline riparian vegetation conservation areas or their buffers without following mitigation sequencing.
3. Because shorelines are a limited resource, preference should be given to water-dependent and oriented uses, especially those uses particularly dependent on a shoreline location or those that will provide the opportunity for substantial numbers of people to enjoy the shoreline.
4. Over-water construction for non-water-dependent municipal uses should be prohibited.
5. Where appropriate, municipal uses should be designed to provide physical or visual shoreline access or other opportunities for the public to enjoy the shoreline location. Public access should include amenities appropriate to the type and scale of the development and the qualities and character of the site, which may include walkways, viewpoints, restrooms, and other recreational facilities.
6. Municipal uses should be aesthetically compatible with the surrounding area.
7. Municipal uses should include shoreline enhancement and restoration activities that will visually enhance the shoreline area and contribute to shoreline functions and values.
8. Favorable consideration should be given to proposals that complement their environment and surrounding land and water uses, and that protect natural areas.

### Overwater Structures (Docks and Piers)

1. Overwater structures should not be permitted. **Parking & Transportation**
2. Parking in shoreline areas should be located upland of the permitted use. Parking located between the Zone 2 buffer and the development may be allowed if the proposed parking location follows:
	* An adopted downtown master plan, neighborhood or sub-area plan; or
	* Current development patterns; or
	* The parking area and development are located behind a certified or licensed flood control device such as levee
3. In any of the above instances, the applicant must demonstrate that measures to protect ecological function and visual impacts of parking located between the required buffers and building can be addressed through a stormwater management plan, planting plan and appropriate mitigation.
4. Parking facilities should be located, designed and landscaped to minimize adverse impacts, including those related to stormwater runoff, water quality, aesthetics, public access, and vegetation and habitat maintenance.
5. Parking should be planned to achieve optimum use of land within the area under shoreline jurisdiction. Where practical, parking should serve more than one use, such as recreational use on weekends and commercial use on weekdays.
6. Transportation and parking plans and projects should be consistent with this Section’s public access policies, public access plan, and environmental protection provisions.
7. Circulation system planning should include systems for pedestrian, bicycle, and public transportation where appropriate. Circulation planning and projects should support existing and proposed shoreline uses that are consistent with this master program.
8. Plan, locate, and design proposed transportation and parking facilities where routes will have the least possible adverse effect on unique or fragile shoreline features, will not result in a net loss of shoreline ecological functions or adversely impact existing or planned water-dependent uses. Where other options are available and feasible, new roads or road expansions should not be built within shoreline jurisdiction.

### Recreational Uses

1. The location and design of shoreline recreational developments should be consistent with the comprehensive plan and recreation plan of the City.
2. Local, regional, tribal, state, and federal recreation planning should be coordinated. Shoreline recreational developments should be consistent with applicable park, recreation, and open space plans of other jurisdictions.
3. A variety of compatible recreational experiences and activities should be encouraged to satisfy diverse recreational needs.
4. Favorable consideration should be given to proposals that complement their environment and surrounding land and water uses, and that protect natural areas.
5. Priority should be given to developments that provide water-oriented recreational uses and other improvements facilitating public access to shoreline areas.
6. Recreational developments should be located and designed to preserve, enhance, or create scenic views and vistas.
7. All recreational developments should make adequate provisions for:
	* Vehicular and pedestrian access, both on and off site, including, where appropriate, access for people with disabilities.
	* Proper water supply and solid and sanitary waste disposal.
	* Security and fire protection for the permitted recreational use.
	* The prevention of overflow and trespass onto adjacent properties, by methods including but not limited to landscaping, fencing, and posting of the property.
	* Buffering from adjacent private property or natural areas.
	* Trails and paths on steep slopes should be located, designed, and maintained to protect bank stability and comply with applicable Critical Areas regulations.

### Residential Development

1. Development of four or more residential units, whether single-family or multi-family, should provide for public access in the form of physical access and visual access unless it can be shown that public access is adequately provided for on public property within ¼

mile walking distance of the proposed development. Public access is considered adequately provided for if all the following criteria are met:

* + The access is part of a locally adopted parks, recreation and or public access plan.
	+ The general public has physical and visual access to access to the water
	+ Additional use of the access does not pose additional public safety hazard.
	+ The public access can accommodate anticipated additional uses and impacts as a result of the proposed residential development.
	+ An existing public access area is provided for on applicant’s deed or parcel declaration(s) legally recorded at the County records.
1. Residential development, including appurtenant structures and uses, should be sufficiently set back from steep slopes and shorelines vulnerable to erosion (e.g., geologically hazardous areas) so that shoreline stabilization structural improvements, including bluff walls and other stabilization structures, are not required to protect such structures and uses.
2. Residential development or mixed-use developments should be sited so as to prevent the need for new shoreline stabilization or flood hazard reduction measures that would cause significant impacts to other properties or public improvements or a net loss of shoreline ecological functions.

### Subdivision and Land Segregation

1. All proposed plats and lots, whether for agricultural, residential, commercial or industrial uses or activities, should be of sufficient size that development will not cause the need for structural shoreline stabilization.
2. All proposed plats and lots should be designed with enough area to provide a building site with appurtenant uses (parking, outbuildings etc…), accessory utility needs and fire defensible space to meet the minimum bulk dimensional standards established in Chapter

18.21 OMC for the shoreline designation within which the lot is located, without requiring shoreline variances.

1. Plats and subdivisions, should prevent the need for new flood hazard reduction measures that would cause significant impacts to other properties or public improvements or a net loss of shoreline ecological functions.

### Signs

1. Signs to be placed or erected within shoreline jurisdiction should be designed and placed so that they are compatible with the aesthetic quality of the existing shoreline and adjacent land and water uses and in compliance with applicable local sign regulations.
2. Signs should not block or otherwise interfere with visual access to the water or shoreline areas.
3. Generally, signs should be of a permanent nature and be linked to the operation of existing or permitted uses. Temporary signs and interpretive signs related to shoreline functions should be allowed where they comply with the other policies of this Section

and Chapter 18.21 OMC and, in the case of temporary signs, where adequate provisions are made for timely removal.

1. Signs attached to buildings are preferred over free-standing signs.
2. Lighting associated with signs should be stationary, non-blinking and non-revolving. Signs should not be erected nor maintained upon trees, or drawn or painted upon rocks or other natural features and artificial lighting of signs should be directed away from adjacent properties and the water.
3. Signs, other than those required for water-dependent use and navigation should not be allowed in the Zone 1 Buffer.

### Utilities and Accessory Utilities

1. All utilities should be designed to minimize conflicts with present and planned land and shoreline uses while meeting the needs of future populations in areas planned to accommodate growth.
2. Utilities that are non water-oriented including transmission facilities for communications, and power plants, or parts of those facilities should not be allowed in shoreline areas unless it can be demonstrated that no other feasible option is available.
3. Transmission facilities for the conveyance of services, such as power lines, cables, and pipelines, should be located outside of the shoreline area where feasible.
4. Existing rights-of-way and corridors should be used whenever possible to accommodate the location of utilities.
5. Whenever possible, utilities should be located to minimize obstructions of views and vistas. This includes, but is not limited to, views of the shoreline environment from the water, views of the water from shorelines, and views extending beyond the shoreline of other scenic features of local importance such as rock walls, talus slopes, cliffs and perches from the shoreline or water. To preserve views and vistas and shoreline character, placement of utilities underground should be preferred and mitigated as appropriate with vegetation measures.
6. Accessory utilities necessary to serve shoreline uses should be properly installed so as to protect the shoreline and water from contamination and degradation.
7. Accessory utilities and associated rights-of-way should be located outside the shoreline area to the maximum extent feasible, complying with shoreline setbacks and/or buffers whichever are more protective. When utility lines require a shoreline location, they should be placed underground.
8. Accessory utilities should be designed and located in a manner that preserves the natural landscape and shoreline ecology and minimizes conflicts with present and planned land uses.
9. Accessory utilities should be designed and located to eliminate the need for topping or pruning trees.
10. Wherever possible, existing utility systems should be improved to enhance shoreline appearance and use.

### Shoreline Modification Policies

1. The provisions of this section apply to all shoreline modifications within all shoreline areas.
2. All shoreline modifications should be in support of an allowed shoreline use that is in conformance with the provisions of this Section of the Land Use Element.
3. Shoreline modifications should cause as few environmental impacts as possible and should be limited in size and number.
4. The type of shoreline and the surrounding environmental conditions should be considered in determining whether a proposed shoreline modification is appropriate.
5. Projects that include shoreline modifications should contribute to enhancement of shoreline ecological functions, when possible.
6. As shoreline modifications are allowed to occur, measures to protect and restore ecological functions should be implemented.
7. Development, uses and modifications should plan for the enhancement of impaired ecological functions where feasible and appropriate while accommodating permitted uses. As shoreline modifications occur, incorporate all feasible measures to protect ecological shoreline functions and ecosystem-wide processes.
8. Shoreline developments, uses and modifications should avoid and reduce significant ecological impacts according to the mitigation sequence in WAC 173-26-201 (2)(e).
9. Assure that shoreline modifications individually and cumulatively do not result in a net loss of ecological functions. This is to be achieved by giving preference to those types of shoreline modifications that have a lesser impact on ecological functions and requiring mitigation of identified impacts resulting from shoreline modifications.

### Clearing and Grading Policies

1. Clearing and grading activities should only be allowed in association with an allowed shoreline use.
2. Clearing and grading in shoreline areas should be limited to the minimum necessary to accommodate permitted shoreline development.
3. Clearing and grading should be discouraged in required shoreline setbacks.
4. All clearing and grading activities should be designed and conducted to minimize sedimentation and impacts to shoreline ecological functions, including wildlife habitat functions and water quality. Negative environmental and shoreline impacts of clearing and grading should be avoided or minimized through proper site planning, construction timing and practices, vegetative stabilization or (where required) soft structural stabilization, use of erosion and drainage control methods, and by adequate maintenance.
5. For clearing and grading proposals, a plan addressing species removal, re-vegetation, irrigation, erosion and sedimentation control, and other plans for protecting shoreline resources from harm should be required.
6. After completion of construction, those cleared and disturbed sites should be promptly re- stabilized, and should be replanted as required by a mitigation management plan. Vegetation from the recommended list is preferred.

### Dredging and Dredge Material Disposal Policies

1. Dredging and dredge material disposal should be prohibited in the shoreline areas of Omak.

### Fill Policies

1. Fills waterward of the ordinary high water mark should be allowed only when necessary to facilitate water-dependent use, public access, or cleanup and disposal of contaminated sediments as part of an interagency environmental clean-up plan, disposal of dredged material considered suitable under, and conducted in accordance with the dredged material management program of the department of natural resources, expansion or alteration of transportation facilities of statewide significance currently located on the shoreline and then only upon a demonstration that alternatives to fill are not feasible, mitigation action, environmental restoration, beach nourishment or enhancement projects and .uses that are consistent with this Element and Chapter 18.21 OMC.
2. Shoreline fills should be designed and located so that there will be no significant damage to existing ecological systems or natural resources, and no alteration of local currents, surface water drainage, or flood waters that would result in a hazard to adjacent life, property, or natural resource systems.
3. In evaluating fill projects, such factors as potential and current public use of the shoreline and water surface area, navigation, water flow and drainage, water quality, and habitat should be considered and protected to the maximum extent feasible.
4. The perimeter of any fill should be designed to avoid or eliminate erosion and sedimentation impacts, both during initial fill activities and over time. Natural- appearing and self-sustaining control methods are preferred over structural methods.
5. Where permitted, fills should be the minimum necessary to provide for the proposed use and should be permitted only when they are part of a specific development proposal that is permitted by this master program. Placing fill in water bodies or wetlands to create usable land should be prohibited.

### Shoreline Stabilization Policies

1. Stabilization measures should be designed, located, and constructed primarily to prevent damage to existing development.
2. No structural stabilization measures should be allowed for a vacant lot.
3. New development should be located and designed to eliminate the need for future shoreline stabilization.
4. Shoreline vegetation, both on the bank and in the water, is very effective at stabilizing shorelines. For this reason, property owners are strongly encouraged to protect existing shoreline vegetation and restore it where it has been removed. Preserving and restoring shoreline vegetation should be the preferred method of shoreline stabilization.
5. Structural solutions to shoreline erosion should be allowed only if non-structural and vegetative methods would not be able to reduce existing or ongoing damage.
6. Public projects should be models of good shoreline stabilization design and implementation.

### Bulkheads Policies

1. A bulkhead is not a preferred method of stabilizing the shoreline, because bulkheads tend to significantly degrade fish and wildlife habitat by the removal of shoreline vegetation, increase erosion on neighboring properties, and change the natural sedimentation process.
2. Cumulative impacts of bulkheads should be considered, since over time and as more shoreline is lost to bulkheading, the resulting loss of habitat may have long-term impacts on fish populations as well as to the overall ecological value of the shoreline.
3. Most areas along the shorelines in Omak can be adequately stabilized using softer, more natural means, such as vegetation enhancement, rather than a bulkhead.
4. If the purpose is not stabilization, a retaining wall, set back from shoreline vegetation, should be used rather than a bulkhead at the water's edge. (Retaining walls for purposes other than shoreline stabilization must comply with the setback and buffering requirements under the heading “Environmental Impacts and Water Quality” of this Section and Chapter 18.21 OMC.)
5. Because a bulkhead on one property can accelerate erosion on adjacent properties, the impacts of a proposed bulkhead on adjacent properties should be analyzed and considered before the bulkhead is approved.
6. A bulkhead should be allowed only for existing development for shoreline stabilization, and only if all more ecologically-sound measures are proven infeasible.
7. Property owners are encouraged to remove existing bulkheads and restore the shoreline to a more natural state. As an incentive, such projects should be processed without a fee charged for the shoreline permit.

### Breakwaters, Jetties, Groins & Weirs Policies

1. Breakwaters, jetties, groins, and weirs located waterward of the ordinary high-water mark should be allowed only where necessary to support water-dependent uses, public access, shoreline stabilization, or other specific public purpose. Breakwaters, jetties, groins, weirs, and similar structures should require a conditional use permit, except for those structures installed to protect or restore ecological functions, such as woody debris installed in streams. Breakwaters, jetties, groins, and weirs should be designed to protect critical areas and should provide for mitigation according to the sequence defined in WAC 173-26-201 (2)(e).

### Vegetation Conservation Policies

1. Natural plant communities within and bordering shorelines should be protected and maintained to ensure no net loss of shoreline ecological functions.
2. Natural shoreline vegetation should be maintained and enhanced to reduce the hazard of bank failures and accelerated erosion. Vegetation removal that is likely to result in soil

erosion severe enough to create the need for structural shoreline stabilization measures should be prohibited.

1. Shoreline vegetation degraded by natural or manmade causes should be restored wherever feasible.
2. Non-structural and “soft” methods of shoreline stabilization, such as vegetation enhancement and soil bioengineering, are preferred to hard structures to diminish the processes of erosion, sedimentation, and flooding.
3. Removal of vegetation should be limited to the minimum necessary to reasonably accommodate the permitted use or activity.
4. The physical and aesthetic qualities of the natural shoreline should be maintained and enhanced.
5. Preference should be given to preserving and enhancing natural vegetation closest to the ordinary high-water mark and within shoreline setback and buffer areas.
6. Aquatic weed management should stress prevention first. **Flood Hazard Reduction**
7. Construction should comply with local flood hazard reduction or flood damage prevention ordinances.
8. Flood hazard reduction efforts in shoreline areas should:
	* Where feasible, give preference to nonstructural flood hazard reduction measures over structural measures.
	* Base shoreline master program flood hazard reduction provisions on applicable watershed management plans, comprehensive flood hazard management plans, and other comprehensive planning efforts, provided those measures are consistent with the Shoreline Management Act and this section.
	* Consider integrating master program flood hazard reduction provisions with other regulations and programs, including (if applicable):
		+ Storm water management plans;
		+ Flood plain regulations, as provided for in chapter 86.16 RCW;
		+ Critical area ordinances and comprehensive plans, as provided in chapter 36.70A RCW; and the
		+ National Flood Insurance Program.
		+ Assure that flood hazard protection measures do not result in a net loss of ecological functions associated with the rivers and streams.
	* Plan for and facilitate returning river and stream corridors to more natural hydrological conditions. Recognize that seasonal flooding is an essential natural process.
	* When evaluating alternate flood control measures, consider the removal or relocation of structures in flood-prone areas.
	* Plan for and facilitate removal of artificial restrictions to natural channel migration, restoration of off channel hydrological connections and return river processes to a more natural state where feasible and appropriate.

## SHORELINE DESIGNATIONS

Shoreline Designations are intended to encourage uses and activities that will protect or enhance present or desired character of the shoreline and critical areas within shorelines and allow appropriate uses consistent with local land use patterns. Omak’s original Shoreline Master Program (SMP) was adopted in 1991. It used a classification system composed of four Shoreline Designations intended to accommodate different levels and types of development: “Natural", "Conservancy", "Rural", “Suburban”, and "Urban."

The State’s 2004 SMP guidelines recommend a new classification system to better reflect the most current scientific and technical information, planning concepts and to support requirements of the Growth Management Act (GMA). Omak used the State’s new classification system as a starting point and tailored it to suit local conditions, local interests, and local land use planning. The result is a system that includes six Shoreline Designations intended for application to all shoreline areas within the incorporated and adopted Urban Growth Area (except within the boundaries of the Colville Indian Reservation).

The Shoreline Designation system in this Section is based on a combination of factors including ecological function and value, existence of designated critical areas, development and planning factors, and local interests. The designations reflect the combined results from the inventory, analysis and characterization along with input gathered through the public participation process.

The assessment of ecological function and value was derived from the Shoreline Characterization prepared by ENTRIX, Inc., incorporated as Appendix A.

Development and Planning factors are a function of:

1. Development Patterns (parcel size and level of subdivision)
2. Current land use
3. Existing Building Setbacks and Number of Structures
4. Public Access and Recreation
5. Transportation/Circulation systems/facilities
6. Current Comprehensive Plans and Zoning maps
7. Local Knowledge (input from SAG and TAG + staff and consultants)
8. Ownership Patterns
9. Other built elements (Over-water Structures, levees, dikes)

The following section describes the criteria used to assign Shoreline Designations to water bodies (the classification criteria), lists specific policies and regulations that apply to each designation, and explains the rationale for each designation. Finally, the text describes the process used to assign designations to the shorelines in Omak. Allowed uses and development standards for each designation follow in tabular form. The policies specific to each designation and the general policies provide the basis for the uses and activities allowed in each shoreline

designation. The development standards and criteria specify how and where permitted development can take place within each shoreline designation.

It is important to note that all lands within shoreline jurisdiction, regardless of designation, have inherent resource, ecological and economic value. Therefore, a natural tension exists between opportunities for protection and development. The SMA requires ecological functions and processes to be retained in all shoreline designations. Where changes in land use or development result in a loss of function and values, those losses must be mitigated.

Parallel shoreline designations may be used where appropriate—for example, to accommodate resource protection close to the ordinary-high-water-mark (OHWM) and development farther from the OHWM. Where parallel designations exist, developments and uses allowed in one of the designations should not be inconsistent with achieving the purposes of the other. The width of each designation may vary depending on the type, extent, and value of the resource to be protected; in all cases the designation closest to the shore shall extend at least to the closest boundary line, easement line and/or 15 feet inland from the OHWM. For future shoreline amendments in all cases the designation closest to the shore should maintain a structural setback/vegetation conservation area at least as wide as the minimum width allowed by the current Ecology approved shoreline designation. Any applicant proposing widths less than this should provide the City an analysis in compliance with WAC 173-26-201.

This Shoreline Master Program establishes a system of six shoreline designations for all shoreline areas within the incorporated areas and adopted Urban Growth Area. The system was derived from the State’s recommended classification system, tailored to reflect local conditions and serve local interests. The default designation for undesignated shorelines in the City of Omak is Urban Conservancy.

### Aquatic

**Purpose**

The purpose of this designation is to protect, restore, and manage the unique characteristics and resources of areas waterward of the Ordinary High-Water Mark (OHWM).

### Designation Criteria

All water areas waterward of the OHWM of rivers, lakes and streams and associated wetlands should be designated “Aquatic.”

### Policies

1. Developments within the Aquatic Designation should be compatible with the adjoining upland designation.
2. Diverse opportunities for public access to the water should be encouraged and developed where such access is compatible with the existing shoreline and water uses and environment.
3. Over-water structures should be allowed only for water-dependent uses, public access, or ecological restoration. The size of such structures should be limited to the minimum necessary to support the structure’s intended use. Structures that are not water- dependent should be prohibited.
4. Multiple-use of over-water facilities should be encouraged.
5. Under-water uses should be designed, developed, operated and mitigated with the least possible impact to the aquatic environment and should show that there is no feasible above water alternatives.
6. Aquaculture should be allowed where the use can be undertaken without interfering with surface navigation, public access, or shoreline ecological functions.
7. Hydroelectric projects of regional or statewide significance (including development of new hydroelectric projects, renovation of existing hydroelectric facilities, and operation of existing hydroelectric projects) should be allowed where impacts to surface navigation, public access, shoreline ecological functions, and the visual quality of the shoreline area can be adequately mitigated.
8. Fishing and other recreational uses of the water should be protected against competing uses that would interfere with recreation.
9. All developments and activities under the jurisdiction of this Section and Chapter 18.21 OMC should be located and designed to minimize interference with surface navigation. Hydroelectric projects licensed by the Federal Energy Regulatory Commission should provide for portage consistent with project operations, safety, and security of the project facilities.
10. All developments and activities using water bodies under the jurisdiction of this Element and Chapter 18.21 OMC should be located and designed to minimize adverse visual impacts and to allow for the safe passage of fish and animals (consistent with federal and state agency approved recovery plans), particularly those whose life cycles are dependent on such migration. Hydroelectric projects licensed by the Federal Energy Regulatory Commission should address visual impacts and fish and wildlife passage while at the same time providing for project operations, safety, and security of the project facilities.
11. Uses and modifications should be designed and managed to prevent degradation of water quality and alteration of natural hydrographic conditions.
12. Abandoned and neglected structures that cause adverse visual impacts or are a hazard to public health, safety, or welfare should be removed or restored to a usable condition consistent with the provisions of this Section and Chapter 18.21 OMC.
13. Activities that substantially degrade priority habitats should not be allowed. Where such activities are necessary to achieve the objectives of the Shoreline Management Act, RCW 90.58.020, impacts should be mitigated to provide a net gain of critical ecological functions.
14. Shoreline modifications should be considered only when they serve to protect or enhance a significant, unique, or highly valued feature that might otherwise be degraded or destroyed. Exceptions may be made for hydroelectric projects licensed by the Federal Energy Regulatory Commission. Such projects should be located and designed to minimize impacts to shoreline functions and values.
15. Shoreline jurisdictional areas within the Aquatic Designation should not be used for calculating land area for the purposes of subdivision and short subdivision.

### Urban Conservancy Purpose

The purpose of this designation is to protect and restore ecological functions of open space, floodplains, and other sensitive lands within the City and Urban Growth Area, while allowing a variety of compatible uses.

### Designation Criteria

Areas suitable and planned primarily for public uses that are compatible with maintaining or restoring the ecological functions of the area, and are not generally suitable for water- dependent uses, if any of the following characteristics apply:

1. They are suitable for water-related or water-enjoyment uses;
2. They are public-owned open space, flood plain or other critical areas that may be suited for low levels of development associated with water-related or water-enjoyment uses but are unsuitable for high intensity development;
3. They have potential for ecological restoration;
4. They retain important ecological functions (such as riparian or wetland habitat, buffers, stormwater and wastewater abatement, and open space– e.g. designated critical areas) even though partially developed; or
5. Existence of critical areas. **Policies**
6. Uses that preserve the natural character of the area or promote preservation of open space, floodplain, or sensitive lands, either directly or over the long term, should be the primary allowed uses. Uses that result in restoration of ecological functions should be allowed if the use is otherwise compatible with the purpose of the environment, the setting, and the local comprehensive plan and development regulations.
7. The following uses should be allowed in shoreline areas designated as “Urban Conservancy”, where consistent with local comprehensive plans and development regulations, provided that the use is consistent with maintaining or restoring the ecological functions of the area: aquaculture; low-intensity water-oriented commercial and industrial uses, where those uses already exist; water-dependent and water- enjoyment recreational facilities; residential development.
8. Mining and associated uses should be allowed on lands that are designated as “mineral resource lands” pursuant to RCW 36.70A.170 and WAC 365-190-070. Otherwise, resource extraction should not be allowed.
9. Water-oriented uses should be given priority over non-water-oriented uses.
10. Adjacent to the shoreline waters, water-dependent uses should be given the highest priority.
11. Opportunities for public access, including developed trails, overlooks and viewing platforms, etc…, to shorelines and water bodies should be encouraged for all

developments, including subdivisions, short subdivisions, planned developments, commercial uses, public services, and recreational uses.

1. Public or community access to shorelines and water bodies should be required for new subdivisions of more than four lots and for recreational uses, provided any adverse impacts can be mitigated.
2. Public access to shorelines and water bodies should be required for new commercial uses and public services where it can be accommodated without risk to public safety, provided any adverse impacts can be mitigated.
3. Public and private recreational facilities and uses that are compatible with residential uses should be encouraged, provided that no net loss of shoreline ecological resources will result.
4. Standards to ensure that new development does not result in a net loss of shoreline ecological functions or further degradation of shoreline values should be established for shoreline stabilization measures, vegetation conservation, and shoreline modifications.
5. Subdivision should be allowed in shoreline areas designated as “Urban Conservancy.” **Shoreline Recreation**

### Purpose

The purpose of the Shoreline Recreation designation is to accommodate mixed-use recreation-oriented development that is consistent with the goals and purpose of the Shoreline Management Act; and to provide appropriate public access and recreational uses, especially where those uses are part of a master-planned system and support healthy physical activity.

### Designation Criteria

This designation is assigned to shoreline areas that support or are planned for mixed-use recreation-oriented development. The designation is intended to provide flexibility for water oriented mixed-use planned or clustered development with varying densities.

### Policies

1. The following uses should be allowed in shoreline areas designated as “Shoreline Recreation”, where consistent with local comprehensive plans and development regulations, provided that the use is consistent with maintaining or restoring the ecological functions of the area: residential development; public access and recreational uses; water-oriented mixed-use development; master-planned resorts, and other development consistent with preservation of low-density recreation-oriented character.
2. Dedication and improvement of public access to shorelines should be required for all new uses, with the exception of residential developments of four lots or fewer, including development by public entities (including local governments, state agencies, and public utility districts). Where a master-planned public access system, such as a river front trail system, exists or is planned, participation in the system and provision of facilities that promote physical activity should be encouraged.
3. All multi-family and multi-lot residential developments should provide joint-use community recreational facilities.
4. Docks, boat ramps, boat lifts, and other boating facilities serving individual single-family residences should be prohibited. Where boating facilities are allowed, community facilities should be required.
5. The number of boating facilities allowed within the SRec designation on each water body should be limited to protect shoreline ecological resources and preserve the character of the shoreline area.
6. Mixed-use water-oriented recreational/residential developments should be encouraged in the SRec designation where such developments are consistent with zoning and comprehensive plan designations and can be accommodated without damage to shoreline ecological resources.
7. Standards for density or minimum frontage width, setbacks, lot coverage limitations, buffers, shoreline stabilization, vegetation conservation, critical areas protection, and water quality should be set to ensure that new development does not result in a net loss of shoreline ecological functions. Such standards should take into account the environmental limitations and sensitivity of the shoreline area, the level of infrastructure and other services available, and other comprehensive planning considerations.
8. Adequate public facilities and services should be required in conjunction with development in the SRec designation. Within the Urban Growth Area, such development should be required to connect to municipal water and sewer utilities. Outside of the Urban Growth Area, private community utility systems may be allowed. Concurrent development of transportation facilities, including facilities to promote physical activity, should be required.
9. Subdivision should be allowed in shoreline areas designated as “Shoreline Recreation.” **Shoreline Residential**

### Purpose

The purpose of the Shoreline Residential designation is to accommodate residential development and appurtenant structures that are consistent with the goals and purpose of the Shoreline Management Act; and provide appropriate public access and recreational uses.

### Designation Criteria

This designation is assigned to shoreline areas within the City and Urban Growth Area that support a predominance of single-family residential development with some duplex and multi-family, are platted for residential development, or are planned for residential development exceeding 1 dwelling unit per acre.

### Policies

1. The following uses should be allowed in shoreline areas designated as “Shoreline Residential”, where consistent with local comprehensive plans and development regulations, provided that the use is consistent with maintaining or restoring the ecological functions of the area: residential development (including both single and multi- family development); water-oriented commercial uses.
2. Residential developments of more than four lots and all recreational developments should provide public access to shorelines and water bodies. Opportunities for public access to shorelines and water bodies should be encouraged for all other developments, including subdivisions, planned developments, commercial uses, and public services.
3. All multi-family and multi-lot residential developments should provide joint-use community recreational facilities.
4. Docks, boat ramps, boat lifts, and other boating facilities serving individual single-family residences should be prohibited. Where boating facilities are allowed, community facilities should be required.
5. Public and private recreational facilities and uses that are compatible with residential uses and with the applicable comprehensive plan and development regulations should be allowed.
6. Access (including transportation facilities and rights of way or easements), utilities, and public services should be available and adequate to serve any existing needs and planned future development.
7. Standards for density or minimum frontage width, setbacks, lot coverage limitations, buffers, shoreline stabilization, vegetation conservation, critical areas protection, and water quality should be set to ensure that new development does not result in a net loss of shoreline ecological functions. Such standards should take into account the environmental limitations and sensitivity of the shoreline area, the level of infrastructure and other services available, and other comprehensive planning considerations.
8. Subdivision should be allowed in shoreline areas designated as “Shoreline Residential.” **High Intensity**

### Purpose

The purpose of the High Intensity designation is to provide for high-intensity water-oriented commercial, transportation, and industrial uses while protecting existing ecological functions and restoring ecological functions in areas that have been previously degraded and are planned for such uses.

### Designation Criteria

Shoreline areas within the City and Urban Growth Area should be designated “High Intensity” if they currently support high-intensity uses related to commerce, transportation, or navigation; or are suitable or planned for high-intensity water-oriented uses, including multi-family residential development.

### Policies

1. Although they are the most heavily developed shoreline lands in Omak, High Intensity lands retain resource value and present limited opportunities for protection and restoration.
2. Because shorelines are a finite resource and because high-intensity uses tend to preclude other shoreline uses, emphasis should be given to directing new development into areas that are already developed or where high-intensity uses can be developed consistent with

this master program and the applicable Comprehensive Plan, and to uses requiring a shoreline location. Full utilization of existing high-intensity areas should be encouraged before further areas are designated as High Intensity.

1. Priority should be given to water-dependent, water-related, and water-enjoyment uses over other uses, with highest priority given to water-dependent uses. Uses that derive no benefit from a water location should require a shoreline conditional use permit.
2. Where consistent with other policies and with local comprehensive plans and development regulations, the following uses should be allowed in shoreline areas designated as “High Intensity”, provided that the use is consistent with maintaining or restoring the ecological functions of the area: water-oriented commercial uses, transportation, navigation, and other high-intensity water-oriented uses, including multi- family residential development.
3. Visual public access should be required, where feasible.
4. Physical public access should be encouraged where it can be accommodated without risk to public safety.
5. Aesthetic objectives should be implemented by means such as sign control regulations; appropriate development siting, screening and architectural standards; and maintenance of natural vegetative buffers.
6. Implementation of local plans for acquisition or use through easements of land for permanent public access to the water in the High Intensity Designation should be encouraged.
7. In order to make maximum use of the available shoreline resources and to accommodate future water-oriented uses, the redevelopment and renewal of substandard, degraded, under-used, or obsolete urban shoreline areas should be encouraged.
8. Subdivision should be allowed in shoreline areas designated as “High Intensity.”

**SHORELINE DESIGNATIONS MAP**

The *Shoreline Designations* map for the city of Omak shows the areas under the jurisdiction of this Master Program and the boundaries of the six shoreline designations. Shoreline areas within the Urban Growth Area have been pre-designated—that is, the shoreline designations shown in Urban Growth Areas are those that have been assigned by the city.

The *Shoreline Designations* map shall be the official map of Shoreline Designations and is maintained by the City and by the Department of Ecology. Any other copies, including copies that may be distributed either as part of this Element or separately, shall be unofficial.

The MapA-12 Shoreline Designations for the city of Omak is found in the Map Appendix.