



## ARTICLE IV ENVIRONMENTAL REGULATIONS

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### RZC 21.68 SHORELINE MASTER PROGRAM

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Shoreline Regulations User Guide

#### 21.68.010 Scope and Purposes

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- A. **Scope and Applicability.** The requirements of this chapter apply to uses, activities, and development within [Shoreline Jurisdiction](#) as defined in RZC 21.68.020, *Shoreline Jurisdiction*. All uses, activities, and development within Shoreline Jurisdiction, including those exempt from the requirement to obtain a shoreline permit, shall comply with RCW Chapter 90.58, the Shoreline Management Act, Chapter 173-26 of the Washington Administrative Code or its successor, and the policies and regulations of the Redmond Shoreline Master Program.
- B. **Purposes.** The Redmond Shoreline Master Program has the following purposes:
1. To ensure no net loss of shoreline ecological functions;
  2. To protect the waters of the state and the fish and wildlife that depend on those waters from adverse impacts;
  3. To protect the public's right to access and use the surface waters of the state;
  4. To protect the aesthetic qualities of the natural shorelines of the state to the greatest extent feasible consistent with the overall best interest of the state and the people generally;
  5. To design and carry out allowed uses in a manner that minimizes, as far as practical, damage to the ecology and environment of shoreline areas and the public's right to access and use the shorelines where public lands and rights-of-way exist;
  6. To provide for the restoration of the shorelines, which are among the state's most valuable and fragile natural resources;
  7. To provide for the recovery of fish and wildlife that use the shorelines and that have been federally or state-listed endangered or threatened and that are practical to recover within Redmond;
  8. To encourage water-related, water-dependent, and residential uses of the shorelines that are in the best interest of the public;



9. To prepare a concerted and coordinated plan for the shorelines, taking into account local, state, and federal interests to prevent the inherent harm in an uncoordinated and piecemeal development of the state's shorelines;
10. To carry out the Shoreline Management Act, RCW Chapter 90.58, and implementing regulations adopted by the state;
11. To help fulfill the City's responsibilities under the Public Trust Doctrine; and
12. To protect the rights of the owners of properties within the Shoreline Jurisdiction.

Effective on: 4/16/2011

## **21.68.020 Shoreline Jurisdiction**

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The following areas of Lake Sammamish, the Sammamish River, Bear Creek, and Evans Creek shall be the area within jurisdiction. The exact location of these areas will be determined at the time of permitting for a particular project. [See 21.68.200.C.11 regarding when shoreline restoration projects create a shift in the ordinary high water mark and a subsequent shift in the shoreline jurisdiction.](#)

- A. **Lake Sammamish:** Lake Sammamish, its underlying land, associated wetlands, and all areas within the one percent numerical probability floodplain (100-year floodplain) as defined by the most recent Federal Emergency Management Agency map or study, together with those lands extending landward 200 feet from the ordinary high water mark of Lake Sammamish.
- B. **Sammamish River:** The Sammamish River and all lands extending landward 200 feet from the ordinary high water mark of the Sammamish River
- C. **Bear Creek and Evans Creek:** Bear Creek and Evans Creek, where the mean annual flow is 20.0 cubic feet per second or greater, and the land underlying the creek in those areas, associated wetlands, and the following areas:
  1. West of Avondale Road: Those lands extending landward 200 feet from the ordinary high water mark on both sides of the creek.
  2. East of Avondale Road:
    - a. North side of creeks: All lands extending landward 200 feet from the ordinary high water mark plus all areas within the one percent numerical probability floodplain (100-year floodplain) as defined by the most recent Federal Emergency Management Agency map or study or best available data. Within the Friendly Village Mobile Home Park property, the Shoreline Jurisdiction shall comprise of those lands extending 200 feet from the ordinary high water mark on both sides of the creek.
    - b. South side of creeks: Those lands extending landward 200 feet from the ordinary high water mark.

Effective on: 4/16/2011

## **21.68.030 Shoreline Master Program and Relationship to Other Policies and Regulations**

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### **A. Shoreline Master Program.**



1. Shoreline Master Program Policies. The following policies shall constitute the Redmond Shoreline Master Program policies.
  - a. Comprehensive Plan Shoreline Master Program Element.
  - b. Comprehensive Plan Natural Environment Element policies NE-12 through NE-17 and NE-19 through NE-101. (Ord. 2259, dated May 28, 2005)
  - c. Comprehensive Plan Parks and Recreation Element policies PR-43 and PR-31. (Ord. 2486, dated Sept. 25, 2009)
2. Shoreline Master Program Regulations: The following regulations shall constitute the Redmond Shoreline Master Program development regulations:
  - a. [RZC 21.68](#), *Shoreline Regulations*.
  - b. [RZC 21.64](#), Critical Areas (Ord. 2259, dated May 28, 2005), with the exception of the following subsections:
    - i. [RZC 21.64.010.D](#), *Exemptions*
    - ii. [RZC 21.64.010.G](#), *Permit Process and Application Requirements*
    - iii. [RZC 21.64.010.S](#), *Reasonable Use Provision*
    - iv. [RZC 21.64.010.T](#), *Public Project Reasonable Use Provision*
    - v. [RZC 21.64.020.B.6-7](#) *Stream Buffer Width Averaging*
    - vi. [RZC 21.64.020.B.8](#), *Clearing and Grading in Outer Buffer*
    - vii. [RZC 21.64.020.B.10](#), *Expansion of Nonconformity in Stream Buffer*
    - viii. [RZC 21.64.020.C](#), *Alteration of Fish and Wildlife Habitat Conservation Areas*
    - ix. [RZC 21.64.060.C](#), *Alteration of Geologically Hazardous Areas – Generally*
    - x. [RZC 21.64.060.D](#), *Alteration of Geologically Hazardous Areas*
    - xi. [RZC 21.64.070](#), *Procedures*
  - c. [RZC 21.66](#), *Dredging* (Ord. 2486, dated Sept. 26, 2009).
  - d. [21.50.010](#), *Definitions* – Those specific to shorelines and so noted with an “SMP” following their definition.
  - e. [RZC 21.06](#), [21.08](#), [21.10](#) and [21.14](#) *Regulations: Urban Recreation, Residential, Downtown, and Commercial Zones* – Those sections of the site requirements charts (and associated footnotes) establishing maximum height in the Shoreline Jurisdiction and waterfront building setbacks along Lake Sammamish, plus the following subsections specific to shoreline development:
    - i. [RZC 21.08.170.H.3.c](#) (Ord. 2486, dated Sept. 26, 2009)
    - ii. [RZC 21.08.170.H.5](#) through 6 (Ord. 2486, dated Sept. 26, 2009)
    - iii. [RZC 21.08.170.M.3](#) (Ord. 2486, dated Sept. 26, 2009)
    - iv. [RZC 21.14.030.D](#) Use 38
    - v. [RZC 21.14.040.D](#) Use 40
  - f. [RZC 21.08](#), *Residential Zones*.
    - i. [RZC 21.08.020.D](#), Use (18) footnotes 2 through 6, RA-5 Zone Use (27) footnote 1, Use (28) footnote 1



- ii. RZC 21.08.030.D, Use (21) footnotes 2 through 6, R-1 Zone Use (29) footnote 1, Use (30) footnote 1
  - iii. RZC 21.08.040.D, Use (21) footnotes 2 through 6, R-2 Zone Use (30) footnote 1, Use (31) footnote 1
  - iv. RZC 21.08.050.D, Use (21) footnotes 2 through 6, R-3 Zone Use (29) footnote 1, Use (30) footnote 1
  - v. RZC 21.08.060.D, Use (25) footnotes 2 through 6, R-4 Zone Use (33) footnote 1, Use (34) footnote 1
  - vi. RZC 21.08.070.C, Use (23) footnotes 2 through 6, RIN Zone Use (31) footnote 1, Use (33) footnote 1
  - vii. RZC 21.08.080.D, Use (25) footnotes 2 through 6, R-5 Zone Use (33) footnote 1, Use (34) footnote 1
  - viii. RZC 21.08.090.D, Use (24) footnotes 2 through 6, R-6 Zone Use (32) footnote 1, Use (33) footnote 1
  - ix. RZC 21.08.100.D, Use (24) footnotes 2 through 6, R-8 Zone Use (31) footnote 1, Use (32) footnote 1
  - x. RZC 21.08.110.D, Use (21) footnotes 2 through 6, R-12 Use (28) footnote 1, Use (29) footnote 1
  - xi. RZC 21.08.120.D, Use (22) footnotes 2 through 6, R-18 Use (28) footnote 1, Use (29) footnote 1
  - xii. RZC 21.08.130.D, Use (22) footnotes 2 through 6, R-20 Use (28) footnote 1, Use (29) footnote 1
  - xiii. RZC 21.08.140.D, Use (22) footnotes 2 through 6, R-30 Use (28) footnote 1, Use (29) footnote 1
  - xiv. RZC 21.08.280.C.4 – Churches, Temples, Synagogues, and Other Places of Worship
- g. RZC 21.12, *Overlake Regulations*.
- i. RZC 21.12.040.C, Use (21) footnote 5, OV1 Zone
  - ii. RZC 21.12.050.C, Use (21) footnote 5, OV2 Zone
  - iii. RZC 21.12.060.C, Use (21) footnote 4, OV3 Zone
- h. RZC 21.14, *Commercial Regulations*.
- i. RZC 21.14.020.D, Use (38) footnote 6, MP Zone
  - ii. RZC 21.14.040.D, Use (40) footnote 6, MP Zone
- i. RZC 21.56, *Wireless Communications Facilities*.
- i. RZC 21.56.040.A.2.c, *Size Requirements for Amateur Radio Towers General Development Standards*
  - ii. RZC 21.56.050.A.4.i, *Screening Requirements for New Antenna Support Structures and Antenna Arrays*
  - iii. RZC 21.56.060.D.3.a, *Special Exception Decision Criteria*
- j. RZC 21.76.070.U, *Reasonable Use Exception (Critical Areas/Hazardous Liquid Pipelines and High Capacity Transit Corridor Preservation)*.

3. In addition to the policies and regulations adopted by reference, the following policies and regulations address shoreline issues but are not part of Redmond's Shoreline Master Program:

- a. Policies.



- i. Comprehensive Plan Parks and Recreation Chapter Element policies PR-28 and PR-52.
- b. Regulations.
  - ii. RZC Article III, Design Standards.

**B. Relationship to Other Policies and Regulations**

1. The shoreline regulations contained in this chapter shall apply as an overlay and in addition to zoning, land use regulations, development regulations, and other regulations established by the City.
2. In the event of any conflict between these regulations and any other regulations of the City, the regulations that provide greater protection of the shoreline natural environment and aquatic habitat shall prevail.
3. Shoreline Master Program policies establish intent for the shoreline regulations.

Effective on: 4/16/2011

## **21.68.040 General Regulations**

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**A. Regulations of General Application.**

1. The location, design, and management of all shoreline uses and activities shall not degrade the quality and quantity of surface and groundwater on the site and adjacent to the site. All federal and state water quality and effluent standards shall be met.
2. All shoreline uses and activities shall be located and designed in a manner that ensures no net loss of shoreline ecological functions and minimizes adverse impacts to natural shoreline resources, wildlife habitat, and fish and other aquatic habitat. All development on the shoreline, impacting shoreline ecological functions, shall be mitigated according to the mitigation sequence established in WAC 173-26-201(2)(e).
3. Where specific regulations for a proposed use or activity are not provided in the Zoning Code, uses and activities shall utilize best management practices to minimize any adverse impacts to water quality and natural shoreline resources.
4. Disruption of natural shoreline resources, including clearing and grading, tree removal, and erosion protection, shall be the minimum necessary to accommodate the permitted use or activity.
5. In evaluating permit applications for proposed uses and activities within the shoreline, the City shall give due consideration to the long-term and regional effects of the proposal on natural shoreline resources and the ability of future generations to enjoy and use the shoreline.
6. New development should be located and designed to avoid the need for future shoreline stabilization to the extent feasible.
7. Where the provisions of the Zoning Code conflict, the more restrictive of the provisions shall apply unless specifically stated otherwise.

Effective on: 4/16/2011



## 21.68.050 Shoreline Environments

**A. Shoreline Environment Designations.** The Redmond Comprehensive Plan designates shoreline environments for each area within Shoreline Jurisdictions. The shoreline environments are established by Policy SF-1 and designated on the Shoreline Environments Map. Classifying a given shoreline into distinct environments provides a means of assessing the different land use and environmental characteristics of the shoreline, thus providing the foundation for shoreline policies and regulations. Any shoreline area not designated shall be an Urban Conservancy environment, until evaluated and a permanent designation is made by the City.

**B. Allowed and Prohibited Uses and Activities in Shoreline Environments.**

1. The Shoreline Management Act and its implementing regulations provide that if a use is not listed in the Shoreline Master Program, it may be allowed through a Shorelines Conditional Use Permit application (WAC 173-26-240 (2) (b) and WAC 173-27-160). Shoreline uses, activities, or conditions listed as prohibited shall not be authorized through a variance, special use permit, conditional use permit, or any other permit or approval.
2. The Redmond Zoning Code contains special provisions for certain uses and activities that may occur within the Shoreline Jurisdiction. Special standards for these uses and activities are in the Zoning Code subsections listed in RZC 21.68.050.C, *Uses and Activities in Shoreline Environments*. Only those provisions listed in RZC 21.68.030, *Shoreline Master Program and Relationship to Other Policies and Regulations*, are adopted by reference as part of the City of Redmond Shoreline Master Program.
3. Shoreline modification activities shall support an allowed shoreline use that complies with the requirements of the Shoreline Master Program. Except as otherwise provided, all shoreline modification activities not associated with a legally existing or approved shoreline use are prohibited.

**C. Uses and Activities in Shoreline Environments.**

1. Explanation of Uses Table. The following table, Shoreline Environments, Permitted Uses, and Activities, identifies uses and activities, and defines whether those uses are prohibited, permitted by application for Exemption or Shoreline Substantial Development Permit, or permitted by a Shoreline Conditional Use Permit. The following symbols apply:
  - a. "X" means that the use or activity is prohibited in the identified Shoreline Environment.
  - b. "P" means that the use or activity may be permitted by approval by the City of Redmond through a Letter of Shoreline Exemption or through a Shoreline Substantial Development Permit (RZC 21.68.200).
  - c. "C" means that the use or activity may be permitted by approval of the City of Redmond and Department of Ecology through a Shoreline Conditional Use Permit (RZC 21.76.050.H and 21.68.200). Uses that are not specifically prohibited under the following table or under RZC 21.68.050.C.2 may be authorized through a Shoreline Conditional Use Permit.
  - d. Shoreline Variances (RZC 21.76.050.H and 21.68.200) are intended only to grant relief from specific bulk, dimensional, or performance standards in the Shoreline Master Program, NOT to authorize shoreline uses and activities. They are therefore not included in the following table.

Note that a project exempt from a Shoreline Substantial Development Permit may still require a Shoreline Conditional Use Permit or Shoreline Variance.





2. Prohibited Uses.

- a. General. Uses identified under b are specifically prohibited in all Shoreline Environments. Shoreline uses, activities, or conditions listed as prohibited shall not be authorized through a variance, special use permit, conditional use permit, or any other permit or approval.
- b. Prohibited Uses in all Shoreline Environments: The following uses are prohibited and subject to:
  - i. Agriculture and Resource Management: Hunting, trapping<sup>1</sup>, mining and quarrying, and in-water structures;
  - ii. Utilities: Solid waste landfill or transfer station;
  - iii. Transportation Facilities: Helicopter landing facilities<sup>2</sup>, primary use parking, expressways, railroads<sup>3</sup>, towing operators and auto impoundment, truck terminals, railroad yards;
  - iv. Manufacturing and Industrial: Hazardous waste (primary) and in-water structures;
  - v. Commercial, Wholesale, Retail: Commercial marinas, piers and docks, drive-in theaters, off-premise signs, billboards<sup>4</sup>, in-water structures, hazardous waste (primary);
  - vi. Residential: Floating homes; and
  - vii. Recreational: Golf driving range.

**NOTES:**

<sup>1</sup> Does not include fishing, or hunting and trapping authorized by local, state or federal agencies, or Native American tribes, for the purposes of wildlife management or scientific research.

<sup>2</sup> Does not include emergency medical airlift.

<sup>3</sup> Grade crossings, signaling, underpasses, and overpasses only. New railroad corridors are prohibited. This prohibition does not apply to the corridors of a regional light rail transit system.

<sup>4</sup> Real estate and political signs are allowed subject to provisions of [RZC 21.44](#), *Signs*.

3. Relationship to Other Regulations: In cases where there is a conflict among the various sections of the RZC and the following table, the regulation that provides the greatest protection to the Shoreline Environment shall take precedent. The permits identified in this table relate to a proposal occurring within the Shoreline Jurisdiction as defined in [RZC 21.68.020](#), Shoreline Jurisdiction. Other permits and approvals may be required by the City of Redmond and by state and federal agencies with jurisdiction. See the land use chart for the zoning district in which a proposal is located. Special restrictions may apply to some uses; please refer to the applicable Permitted Uses Chart for special regulations that may apply.

**Table 21.68.050**

**Shoreline Environments, Permitted Uses, and Activities Chart**

USES AND ACTIVITIES	SHORELINE ENVIRONMENT				
	Aquatic	Natural	Urban Conservancy	Shoreline Residential	High Intensity/Multiuse
<b>AGRICULTURE &amp; RESOURCE MANAGEMENT</b>					
Agriculture	X	X	P	P	P



# Redmond Zoning Code

Aquaculture	P	X	X	P	P
Nurseries, tree farms	X	X	P	P	P
Equestrian and livestock facilities	X	X	C	C	C
Animal kennels	X	X	X	P	P
<b>UTILITIES</b>					
Water-dependent utilities (i.e., outfalls)	P	P	P	P	P
Accessory utilities and other underground utilities, except stormwater conveyance facilities	X	X	P	P	P
Stormwater conveyance facilities accessory to a principal use	P	P	P	P	P
Utilities: Substation and Storage	X	X	X	P	P
Utility lines attached to existing bridge structures and underground lines	X	P	P	P	P
Underwater or over-water crossings	P	P	P	P	P
Broadcast and Relay Towers	X	X	X	P	P
Other noncommercial wireless communication facilities	X	X	X	P	P
<b>TRANSPORTATION FACILITIES</b>					
Bridges: autos, railroads	X	X <sup>1</sup>	P	P	P
Bridges: pedestrian, bicycle, equestrian	X	P	P	P	P
Bridges: regional light rail transit	X	X	P	X	P
Private noncommercial float plane landing and mooring facilities on Lake Sammamish only	P	X	X	P	X
Accessory parking to a use permitted in the designated shoreline	X	X	X	P	P

**Table 21.68.050  
Shoreline Environments, Permitted Uses, and Activities Chart**

USES AND ACTIVITIES	SHORELINE ENVIRONMENT				
	Aquatic	Natural	Urban Conservancy	Shoreline Residential	High Intensity/ Multiuse
environment					
Principal arterials	X	X <sup>1</sup>	X	X	P
Connectors	X	X <sup>1</sup>	X	P	P
Regional light rail transit structures and facilities	X	X	P	X	P
New railroad facilities other than bridges for rail corridors existing on the effective date of this code	X	X	X	X	P
<b>MANUFACTURING/INDUSTRY</b>					
Light industrial and manufacturing development	X	X	X	X	P
Ports and water-related industry	P	X	X	X	P
Outdoor storage	X	X	X	X	P
Hazardous waste, incidental	X	X	X	X	P
<b>COMMERCIAL, WHOLESALE, RETAIL</b>					
Commercial, wholesale, retail development	X	X	X	X	P
Office	X	X	X	X	P
Water-enjoyment commercial uses	X	X	X	P	P
Hotel	X	X	X	X	P
Restaurant	X	X	X	X	P
Pedestrian-oriented carts, kiosks	X	X	P	P	P
Produce or handcraft stands up to 120 square feet	X	X	P	P	P
Car-top boat rentals	X	X	P	P	P
Automobile, boat, recreational vehicle sales, rentals, repairs	X	X	X	X	P
Outdoor advertising	X	X	X	X	P
Outdoor storage and outdoor bulk sales	X	X	X	X	P





RESIDENTIAL					
Residential development, except floating homes	X	C	C	P	P
Boathouses	P	X	X	P	X
RECREATIONAL					
Water-oriented recreational development; e.g., interpretive center, park	X	X	P	P	P
Non-water-oriented recreational development	X	X	X	P	P
Water-dependent recreation; e.g., swimming, fishing	P	X	P	P	P
Recreational marinas	X	X	X	P	X
Residential piers, docks, floats, and boatlifts	P	X	C	P	P
Private over-water structures, including Boathouses, except piers, docks, floats	P	X	X	P	X
Public piers, docks, fishing/viewing platforms, and boardwalks	P	P	P	P	P
Nonmotorized boating	P	X	P	P	P
Boat ramps for nonmotorized	P	X	P	P	P
Motorized boating	P	X	P	P	P
Boat ramps for motorized	P	X	X	P	P
Trails <sup>2</sup>	X	P	P	P	P
Public Access <sup>2</sup>	P	P	P	P	P

**Table 21.68.050  
Shoreline Environments, Permitted Uses, and Activities Chart**

USES AND ACTIVITIES	SHORELINE ENVIRONMENT				
	Aquatic	Natural	Urban Conservancy	Shoreline Residential	High Intensity/Multiuse
INSTITUTIONAL & RELIGIOUS					
Churches, temples, synagogues	X	X	X	X	P
Other institutional	X	X	X	X	P
OTHER ACTIVITIES					
Habitat conservation and recreation	P	P	P	P	P
Stand-alone shoreline protective structures not associated with a structure otherwise permitted in this table	X	X	X	P	X
Stand-alone fill and excavation, clearing and grading not associated with an underlying use permitted in this table	C	X	C	C	C
Fill and excavation for water-dependent use, bridge or public access	P	C	P	P	P
Fill and excavation for ecological restoration	P	P	P	P	P
<u>Wetland mitigation bank</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Dredging	P	P	P	P	P
Water withdrawals and diversions	P	P	P	P	P
Flood control structures and activities	P	C	P	P	P
Environmental and cultural interpretation; scientific research; cultural access <sup>3</sup>	P	P	P	P	P

**TABLE NOTES:**

<sup>1</sup> See Shoreline Policy SL-2

<sup>2</sup> Trails and public access on public lands or rights-of-way.

<sup>3</sup> Includes small-scale aquaculture connected to Native American culture or sustenance.

**D. Use Regulations.**

1. Agriculture and Resource Management.

- a. Agricultural uses and development in support of agricultural uses shall be located and designed to assure no net loss of shoreline ecological functions, and shall not have a significant adverse impact on other shoreline resources and values.



- b. New agricultural uses shall be consistent with the policies of the shoreline environment designation in which they are located.
- c. Impacts to water quality and stormwater quantity that would result in a net loss to shoreline ecological functions or a significant impact to aesthetic qualities or recreational opportunities shall be prevented.
- d. New structures for feeding, housing, training, and caring for livestock shall be located outside the stream buffer. This also applies to accessory structures.
- e. Lighting for agriculture and resource management uses shall be consistent with RZC [21.68.120](#).
- f. Parking shall be consistent with RZC [21.68.140](#).
- g. Signs shall be consistent with RZC [21.68.150](#).
- h. Tree protection, landscaping, and screening requirements of RZC [21.68.110](#) shall be met.



- i. Vegetation management per RZC 21.68.170 shall be met.
    - j. These regulations apply to new agricultural uses occurring on lands not designated for agriculture.
  2. Utilities: Utilities use regulations are found in RZC 21.68.160, *Utilities Within Shorelines*.
  3. Transportation Facilities.
    - a. Locate transportation away from the water body unless no feasible alternative exists or unless the facility is part of a regional light rail transit system.
    - b. Design and landscape transportation facilities to avoid and minimize impacts to existing land uses, shoreline views, public access, and the natural environment.
  4. Manufacturing and Industrial Uses.
    - a. Preference shall be given to water-dependent industrial uses over non-water-dependent industrial uses.
    - b. Preference shall be given to water-related industrial uses over non-water-oriented industrial uses.
    - c. Non-water-oriented industrial development on shorelines shall be prohibited, except when conditions established in WAC 173-26-241(f)(i) and (ii) are met and non-water-oriented industrial development is expressly allowed where the development is located in the High Intensity/Multiuse Environment separated from the ordinary high water mark by lands with a different Shoreline Environment designation.
    - d. Design, locate, and manage these uses to prevent significant adverse impacts on water quality, fish and wildlife habitat, and the environment, and achieve no net loss of shoreline ecological function.
    - e. Design, locate, and manage these uses to minimize impacts to existing or future planned public access and visual access.
    - f. Consider incorporating public access as mitigation for impacts to shoreline resources and values unless public access cannot be provided in a manner that does not result in significant interference with operations or hazards to life or property.
    - g. Shoreline buffers and setbacks are established in RZC 21.68.060, *Shoreline Buffers*.
    - h. Tree protection requirements per RZC 21.68.110.A shall be met.
      - i. Landscaping and screening requirements per RZC 21.68.110.B shall be met.
      - j. Lighting shall be consistent with RZC 21.68.120.
    - k. Parking facilities are prohibited within shoreline buffers, except as described in RZC 21.68.140. Parking regulations established in RZC 21.68.140 shall be met. Signs within the Shoreline Jurisdiction shall be oriented away from, or screened from public shoreline areas, and shall minimize glare into fish and wildlife habitats, buffers, shoreline views, and public access areas consistent with RZC 21.68.150, *Signs*.
  5. Commercial, Wholesale, and Retail Uses.
    - a. Preference shall be given to water-dependent commercial uses over non-water-dependent commercial uses.
    - b. Preference shall be given to water-related and water-enjoyment commercial uses over non-water-oriented commercial uses.



- c. Non-water-oriented commercial uses on shorelines within navigable waterways, such as Lake Sammamish, shall be prohibited except:
    - i. as part of a mixed-use development; or
    - ii. in situations where they do not conflict with or limit opportunities for water-oriented uses or on sites where there is no direct access to the shoreline or where the water body is not navigable; or
    - iii. where the site is physically separate from the shoreline by another property or public right-of-way.
  - d. Design, locate, and manage these uses to prevent significant adverse impacts on water quality, fish and wildlife habitat, and the environment, and achieve no net loss of shoreline ecological functions.
  - e. Design, locate, and manage these uses to minimize impacts to existing planned public physical access and visual access.
  - f. Shoreline buffers and setbacks are established in RZC [21.68.060](#), *Shoreline Buffers*.
  - g. Tree protection requirements per RZC [21.68.110.A](#) shall be met.
  - h. Landscaping and screening requirements per RZC [21.68.110.B](#) shall be met.
  - i. Lighting shall be consistent with RZC [21.68.120](#).
  - j. Parking facilities are prohibited within shoreline buffers. Parking regulations established in RZC [21.68.140](#) shall be met.
  - k. Signs within the Shoreline Jurisdiction shall be oriented away from, or screened from public shoreline areas, and shall minimize glare into fish and wildlife habitats, buffers, shoreline views, and public access areas consistent with RZC [21.68.150](#).
6. Residential Uses.
- a. Along Lake Sammamish, structures above grade, other than those related to water use, such as docks, piers, and boathouses, shall be set back a minimum of 35 feet from the ordinary high water mark. This setback may be reduced consistent with RZC [21.68.060.B](#), *Lake Sammamish Setback*.
  - b. Shoreline buffers per RZC [21.68.060.A](#) apply along the Sammamish River, Bear Creek, and Evans Creek.
  - c. Residential in-water structures are regulated under RZC [21.68.070](#).
  - d. Tree protection per RZC [21.68.110](#) shall be met.
  - e. Vegetation management per RZC [21.68.170](#) shall be met.
  - f. Floating homes are prohibited.
7. Recreation.
- a. Design parks and recreational development to be compatible with adjacent shoreline uses and to protect fish and wildlife habitats.
  - b. Utilize maintenance procedures that ensure protection of water quality and minimizes wildlife and vegetation disturbance.
  - c. In-water structures are regulated under RZC [21.68.070](#).
  - d. Shoreline access is established in RZC [21.68.180](#).



8. Institutional and Religious Uses.

- a. Non-water-dependent institutional and religious uses shall be prohibited unless they can meet the criteria established for non-water-dependent uses established in WAC 173-26-241(3)(d)(i) and (ii).
- b. Design, locate, and manage these uses to prevent significant adverse impacts on water quality, fish and wildlife habitat, and the environment.
- c. Design, locate, and manage these uses to minimize impacts to existing or future planned public access and visual access.
- d. Shoreline buffers and setbacks are established in RZC 21.68.060, *Shoreline Buffers*.
- e. Tree protection requirements per RZC 21.68.110.A shall be met.
- f. Landscaping and screening requirements per RZC 21.68.110.B shall be met.
- g. Lighting shall be consistent with RZC 21.68.120.
- h. Parking facilities are prohibited within shoreline buffers. Parking regulations established in RZC 21.68.140 shall be met.
- i. Signs within the Shoreline Jurisdiction shall be oriented away from, or screened from public shoreline areas, and shall minimize glare into fish and wildlife habitats, buffers, shoreline views, and public access areas consistent with RZC 21.68.150.

E. **Shoreline Development Standards.** The following chart establishes shoreline-specific development standards in the different shoreline environment designations.

Table 21.68.050 Development Standards					
DEVELOPMENT STANDARDS	SHORELINE ENVIRONMENT				
	Aquatic	Natural	Urban Conservancy	Shoreline Residential	High- Intensity/ Multiuse
<b>Agriculture and Resource Management</b>					
Density	n/a	n/a	.10 du/ac	.10 du/ac	.10/du ac
Buffer/setback <sup>1</sup>	n/a	n/a	200 feet	200 feet	200 feet
Maximum impervious surface	n/a	n/a	5 percent	5 percent	5 percent
Minimum lot frontage	n/a	n/a	300 feet	300 feet	300 feet
Maximum building height	n/a	n/a	30 feet	30 feet	30 feet
<b>Utilities</b>					
Density	n/a	n/a	n/a	n/a	n/a
Buffer/setback <sup>1</sup>	n/a	200 feet	200 feet	200 feet	200 feet
Maximum impervious surface	n/a	n/a	n/a	60 percent	75 percent
Minimum lot frontage	n/a	n/a	n/a	20 feet	n/a
Maximum building height	n/a	n/a	n/a	30 feet	35 feet
<b>Transportation Facilities</b>					
Density	n/a	n/a	n/a	n/a	n/a
Buffer/setback <sup>1</sup>	n/a	200 feet	200 feet	200 feet	200 feet
Maximum impervious surface	n/a	n/a	n/a	n/a	n/a
Minimum lot frontage	n/a	n/a	n/a	n/a	n/a
Maximum building height	n/a	n/a	n/a	n/a	n/a



**Table 21.68.050  
Development Standards**

Manufacturing/Industry					
Density	n/a	n/a	n/a	n/a	.5 FAR <sup>4</sup>
Buffer/setback <sup>1</sup>	n/a	n/a	n/a	n/a	150-200 feet
Maximum impervious surface	n/a	n/a	n/a	n/a	80 percent
Minimum lot frontage	n/a	n/a	n/a	n/a	30 feet
Maximum building height	n/a	n/a	n/a	n/a	35 feet <sup>5</sup>
Commercial, Wholesale, Retail					
Density	n/a	n/a	n/a	n/a	.35 FAR <sup>6</sup>
Buffer/setback <sup>1</sup>	n/a	n/a	n/a	n/a	150-200 feet
Maximum impervious surface	n/a	n/a	n/a	n/a	varies <sup>9</sup>
Minimum lot frontage	n/a	n/a	n/a	n/a	n/a
Maximum building height	n/a	n/a	n/a	n/a	35 feet
Residential					
Density	n/a	.2 du/ac	.2 du/ac	4 du/ac	varies <sup>8</sup>
Buffer/setback <sup>1</sup>	n/a	200 feet	200 feet	35 feet <sup>7</sup>	150- <del>200</del> feet
Maximum impervious surface	n/a	10 percent	10 percent	60 percent	varies <sup>9</sup>
Minimum lot frontage	n/a	20 feet	20 feet	20 feet	n/a
Maximum building height	n/a	30 feet	30 feet	30 feet	35 feet
Recreational					
Density	n/a	n/a	n/a	n/a	n/a
Buffer/setback <sup>1</sup>	n/a	200 feet	200 feet	200 feet	200 feet
Maximum impervious surface	n/a	10 percent	10 percent	60 percent	60 percent
Minimum lot frontage	n/a	300 feet	300 feet	20 feet	20 feet
Maximum building height	n/a	30 feet	30 feet	30 feet	35 feet
Institutional and Religious					
Density	n/a	n/a	n/a	n/a	n/a
Buffer/setback <sup>1</sup>	n/a	n/a	n/a	n/a	150-200 feet
Maximum impervious surface	n/a	n/a	n/a	n/a	75 percent
Minimum lot frontage	n/a	n/a	n/a	n/a	30 feet
Maximum building height	n/a	n/a	n/a	n/a	35 feet

**TABLE NOTES:**

1. Subject to RZC 21.68.060, *Shoreline Buffers*. Transportation crossings shall be allowed and not subject to buffer setbacks provided they meet RZC 21.68.060.A.
2. The height limit is restricted to that portion of the building physically located within the Shoreline Jurisdiction.
3. See RZC 21.06.010.B for height limitations and exceptions to the 35 foot height limitation.
4. Can go up to 1.0 FAR with TDRs.
5. See RZC 21.14.030.C, RZC 21.14.040.C, and RZC 21.14.050.C.
6. Outside of Downtown and can go up to .70 FAR with TDRs. In Downtown, 1.25 FAR without TDRs per site or at least 10,000 square feet of GFA.
7. This is the buffer setback from Lake Sammamish, where the majority of the Shoreline Residential environment is designated. See RZC 21.68.060.B, *Lake Sammamish Setback*.
8. Residential density in Downtown varies with lot size up to 66 du/acre per site. Outside of Downtown is .12 du/acre per site.
9. Varies between 75 and 100 percent impervious surface per site by Downtown Design District and underlying zoning.
10. du/ac = dwelling units per acre Note that n/a = not applicable in the shoreline environment.

Effective on: 4/16/2011





## 21.68.060 Shoreline Buffers

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### A. Shoreline Buffers.

1. Shoreline buffers are established for Type I streams; those streams identified as Shorelines of the State. Stream buffers for the Shorelines of the State are established for the Sammamish River, Bear Creek, and Evans Creek as follows:
  - a. Sammamish River:
    - i. North of Puget Sound Energy powerline crossing: 150-foot inner buffer plus a 50-foot outer buffer.
    - ii. South of Puget Sound Energy powerline crossing: 150-foot buffer.
  - b. Bear Creek:
    - i. West of Avondale Road: 150-foot buffer.
    - ii. East of Avondale Road: 150-foot inner buffer plus a 50-foot outer buffer.
  - c. Evans Creek: 150-foot inner buffer plus a 50-foot outer buffer.

Buffers are established to protect the integrity, function, and value of the riparian corridor, and shall be an area of undisturbed vegetation where development is prohibited, subject to 2 through 5 below. There are no building setbacks from these buffers.

Where a City-sponsored stream or river restoration project remeandered a Type I stream, adjacent buffers may be reduced so that the buffers will extend no farther than the extent of the buffers immediately prior to the restoration project, provided no net loss of shoreline ecological functions can be demonstrated, and the reduced buffer is no less than 100 feet in width. This provision shall not be construed to allow automatic reduction of the buffer on the corresponding opposite side of the stream when the stream is being located further away from said property.

2. Subject to 3 through 5 below, maximum clearing and grading within the outer 50-foot buffer is 35 percent of the outer buffer area. Nothing in this provision shall be construed to require remediation of existing situations where the current clearing and grading is in excess of 35 percent. Subject to 3 through 5 below, no net effective impervious surfaces may be created within this area.
3. Except as otherwise specifically permitted in this section, RZC 21.68.060.A or in any other portion of the Shoreline Master Program, development, including clearing, grading, disturbing, or altering of a stream buffer is strictly prohibited, except for the following activities that are permitted within all buffer areas:
  - a. Stormwater conveyance systems and underground utilities;
  - b. Trails subject to the Public Access policies and regulations of the Shoreline Master Program; and



- c. Bridges which are part of a regional transit system where there is a demonstrated public need and the location has been selected through a regional transit planning process. Buffer setbacks do not apply to transportation crossings; however, buffer crossing impacts shall be minimized and mitigated.
  4. Businesses currently located in the stream buffers or stream setbacks may continue to operate. A nonconforming use in the stream buffers or stream setbacks may be expanded, provided the expansion does not result in a net loss of shoreline ecological functions over existing conditions. Nonconforming structures may be maintained and repaired and may be enlarged or expanded, provided said enlargement does not extend the structure closer to the shoreline. Businesses currently located in the stream setbacks may sell their land to entities for redevelopment in the same general land use category; e.g., an industrial user may sell to a different type of industrial user, who may continue forward as a nonconforming use and with the existing nonconforming structures and may also redevelop pursuant to this section, RZC 21.68.060.A, and other applicable portions of the Shoreline Master Program.
  5. In any High-Intensity/Multiuse location within a buffer where the land is actively being used as part of a legitimate business operation, such land, including either structures or active operational areas, established prior to January 1, 2008, may continue to operate. New structures, pavement, and other improvements are permitted within this area so long as incremental environmental benefit is provided, and no net loss of shoreline ecological functions is demonstrated.
- B. Lake Sammamish Setback.** Lake Sammamish has no buffer, as noted in RZC 21.68.060.A above, but rather has a building setback. The waterfront-building setback for new development and redevelopment (teardowns) along Lake Sammamish shall be a minimum of 35 feet. The building setback can be reduced to 20 feet if the setback area is revegetated with primarily native vegetation. Establishment of a tree canopy is encouraged. No constructed structures other than those required for waterfront access/docks are allowed within the 20-foot setback. The applicant shall record on the title documentation from the City of Redmond, confirming that the structure has been built under the flexible setback option and as such, the structure is conforming and the area within the 20-foot lakefront setback is to remain planted primarily with native vegetation, as described above. The City shall assist the applicant in determining appropriate native vegetation requested and will coordinate with the applicant on the planting success the following year. New development adhering to the 35-foot setback and/or reconstruction that involves greater than 50 percent of the value of existing improvements shall be required to plant 50 percent of the area in the minimum 20-foot building setback with native vegetation.
- C. Buffer and Setback Measurements.** Shoreline buffers and waterfront building setbacks are measured from the ordinary high water mark.

Effective on: 4/16/2011

## **21.68.070 In-Water Structures**

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- A. **Purpose.** The purpose of this chapter is to provide standards and guidelines for the location and design of docks, marinas, boat launches, and similar in-water structures that have the potential to adversely impact natural shoreline resources.



**B. Applicability.**

1. All in-water structures shall comply with the standards of this chapter.
2. Critical Areas Restrictions. In-water structures are also subject to the requirements of RZC [21.64.030.C, \*Alteration of Wetlands\*](#), and RZC [21.64.020.D, \*Alteration of Riparian Stream Corridors\*](#).

**C. Permitted In-Water Structures.**

1. In-water structures shall be allowed for the following purposes only:
  - a. A water-dependent use, provided that proposals for new in-water structures demonstrate that the use cannot reasonably be accommodated by an existing in-water structure or mooring buoy;
  - b. Public access;
  - c. Enhancement of fish or wildlife habitat, or water-quality enhancement;
  - d. Construction of crossings for roads, regional light rail transit systems, bikeways, or trails, provided the installation complies with the additional standards of [RZC 21.64, \*Critical Areas\*](#). Note that bridge crossings are not permitted across Lake Sammamish.
2. Restricted Locations. In-water structures shall be located away from critical habitat areas and public access facilities as follows:
  - a. In-water structures shall not be located in salmon and steelhead spawning areas or freshwater clam beds.
  - b. Marinas, boat ramps, float plane facilities, and community boat docks shall be located a minimum of 100 feet from critical wildlife nesting areas, natural lake beaches, and Category I and II wetlands. Greater buffers may be required pursuant to RZC [21.64.020.E, \*Alteration of Fish and Wildlife Habitat Conservation Areas\*](#).
  - c. Marinas, motorized boat ramps, float plane facilities, and private docks or piers shall be located a minimum of 100 feet from a public swimming beach.
  - d. Marinas and boat ramps are prohibited on Bear and Evans Creeks. Marinas are prohibited on the Sammamish River.
  - e. Floats are allowed on Lake Sammamish only.
3. Floating homes are prohibited.

**D. General Design Requirements for In-Water Structures.**

1. Proposals for in-water structures shall provide a preconstruction habitat evaluation, including an evaluation of salmon and steelhead habitat, freshwater clam habitat, and critical wildlife habitat, and a post-construction monitoring plan. They shall also include an evaluation of shoreline ecological functions and demonstrate how the project achieves no net loss of shoreline ecological functions.
2. Proposals for in-water structures shall mitigate adverse impacts to fisheries, aquatic and wildlife resources, shoreline and native aquatic vegetation, and impacts to other natural shoreline systems. Mitigation may include, but is not limited to, joint use of existing structures, open decking on piers, replacement of nonnative vegetation, installation of in-water habitat features, or restoration of shallow water habitat. All proposals for in-water structures, except for single-family residential docks and piers, shall, at a minimum, meet



the requirements of RZC 21.64.020.F, *Riparian Stream Corridor Performance Standards*, and RZC 21.64.030.D, *Wetland Performance/Design Standards*.

3. Protection of Vegetation.

- a. In-water structures shall be designed and located to minimize shading of native aquatic vegetation. Removal of shoreline, riparian, and aquatic vegetation shall be limited to the minimum extent necessary to construct the project. All upland and aquatic areas disturbed by construction shall be replanted with native vegetation.
- b. In-water structures shall include the installation of native aquatic plants, such as hardstem bulrush (*Scirpus acutus*), below the ordinary high water mark to a minimum width of 10 feet to mitigate the effects of introduced structures on wave action and erosion.

Significant trees shall be protected and replaced adjacent to the water body, pursuant to RZC 21.68.110, *Tree Protection, Landscaping and Screening Within Shorelines*.

4. New or replacement in-water structures shall be designed and located such that natural hydraulic and geologic processes, such as erosion, wave action, or floods, will not necessitate the following:

- a. Reinforcement of the shoreline or stream bank with new bulkheads or similar artificial structures to protect the in-water structure;
- b. Excessive dredging; or
- c. Dredging in salmon and steelhead spawning areas.

Replacement of in-water structures shall include proper removal of abandoned or other manmade structures and debris.

5. All in-water structures shall be designed to allow for the free passage of water and fish. Intake pipes shall be screened to avoid impacting fish, consistent with the Washington Department of Fish and Wildlife's Screening Guidelines.

6. In-water structures are not subject to the waterfront setbacks or building setbacks otherwise provided for in the Zoning Code. Specific types of in-water structures are subject to side property line setbacks as identified in the specific sections that follow.

7. In-water structures shall not interfere with the public's right of navigation. Where in-water structures are located adjacent to public piers, public beaches, or other public open space, such structures shall provide or enhance public access commensurate with the scale of the project's impacts to public access.

8. In-water structures shall be designed to minimize aesthetic impacts to the shoreline. In-water structures, excluding mechanical equipment associated with watercraft, shall consist of nonreflective or low-reflective material.

9. Bulk storage of gasoline, oil, and other petroleum products over the water or in the water is prohibited.

**E. Piers, Docks, and Floats: Piers and docks are prohibited in the Sammamish River, Bear Creek, and Evans Creek.** Where new or replacement piers, docks, floats, or boardwalks are allowed, they shall meet the following additional conditions:

1. Demonstrated Need.

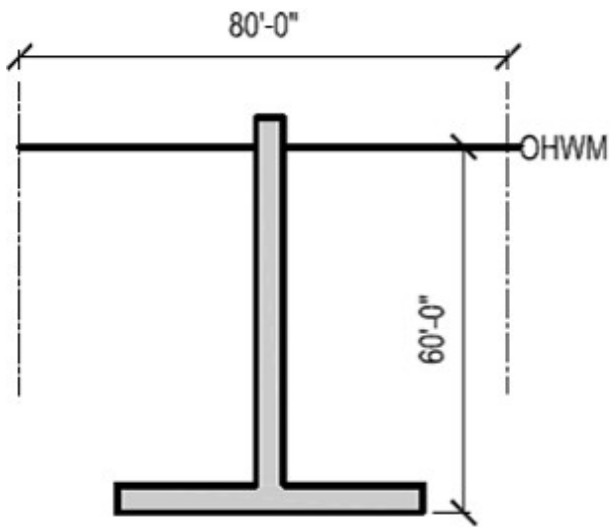
- a. Where a proposed pier or dock is located within 100 feet of an existing pier or dock, the proposal shall demonstrate that a combined or shared facility is not available or



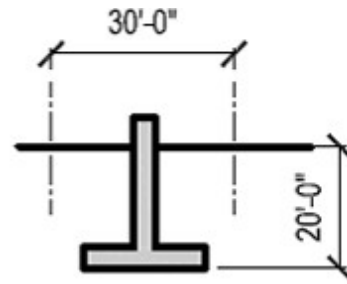
- feasible, or would not serve to reduce environmental impacts to shoreline resources. This shall not apply to piers and docks accessory to single-family residences. Easements or covenants assuring joint use and specifying maintenance responsibility shall be provided with a joint application.
- b. The proposal shall demonstrate that other means, such as floating moorage buoys, or boat lifts, cannot accommodate the use, are not available, or are infeasible.
2. Number of Piers.
    - a. No lot shall have more than one pier, dock, or float structure, except as provided below:
      - i. An additional pier, dock, or float structure is allowed where such structure is open to and accessible to the public.
      - ii. A residential lot may include one float in addition to one pier or one dock.
    - b. Finger piers supported by pilings are prohibited. Finger floats or docks are allowed.
  3. Each pier and float structure shall meet the length, width, height, and area restrictions specified in this section.
  4. Floats. Where allowed, residential floats or over-water platforms may not exceed 60 square feet in area, except that where a lot does not have a pier or dock, floats may not exceed 80 square feet. Floats and over-water platforms must be located no closer than five feet from a property line, and no further waterward than the waterward extent of the primary pier or dock, or than the point where the water depth reaches 13 feet, whichever is less.
  5. Maximum Coverage. The maximum total water coverage by piers, docks, and floats per lot shall be as follows. (See Figures 21.68.070A and 21.68.070B.)
    - a. In single-family residential zones: The lesser of 20 percent of the area bounded by the line of ordinary high water, the waterward projection of the side property lines, and the waterward extremity of the pier projected parallel to the line of ordinary high water or 480 square feet. Small finger docks attached to the main pier and floats shall be included in this maximum area.
    - b. In multifamily residential zones: The lesser of 25 percent of the area bounded by the line of ordinary high water, the waterward projection of the side property lines, and the waterward extremity of the pier projected parallel to the line of ordinary high water or 960 square feet. Small finger docks attached to the main pier and floats shall be included in this maximum area.



Figure 21.68.070A  
Example Maximum Pier Coverage Single Family Residential Zones



Water Area: 4,800 Sq. ft.  
Total Pier Size: 480 Sq. ft.  
Coverage: 10%



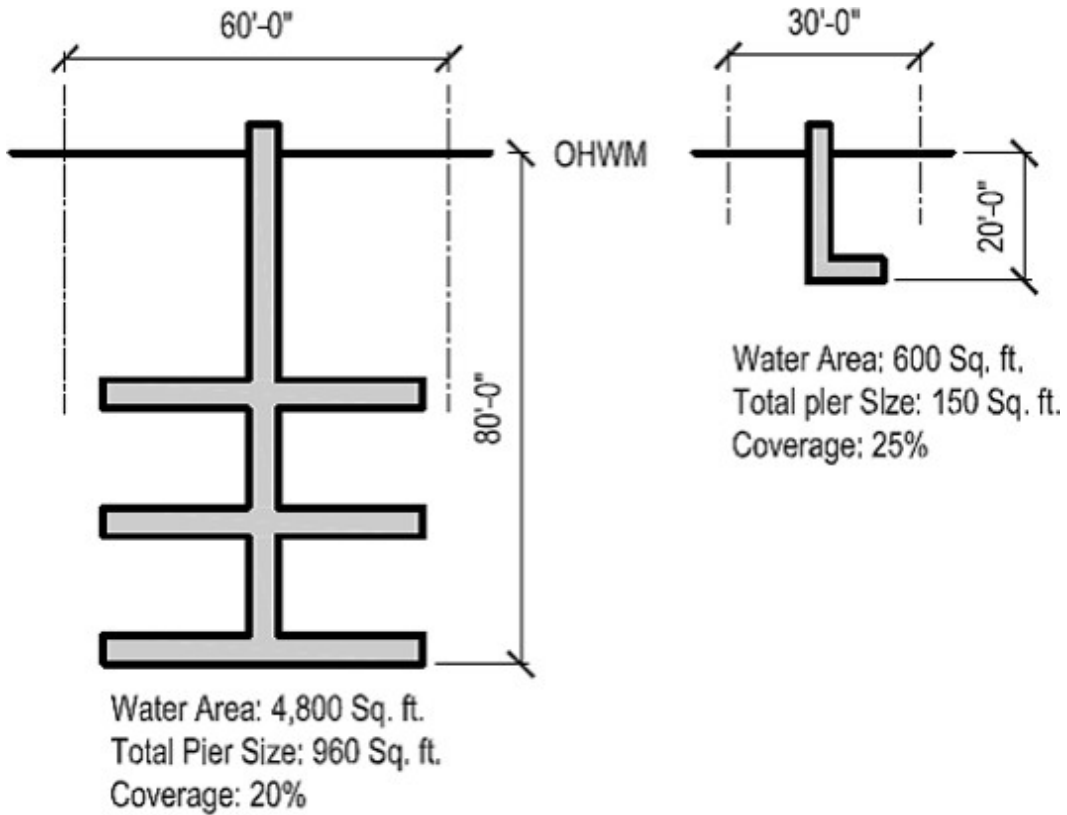
Water Area: 600 Sq. ft.  
Total Pier Size: 120 Sq. ft.  
Coverage: 20%





Figure 21.68.070B

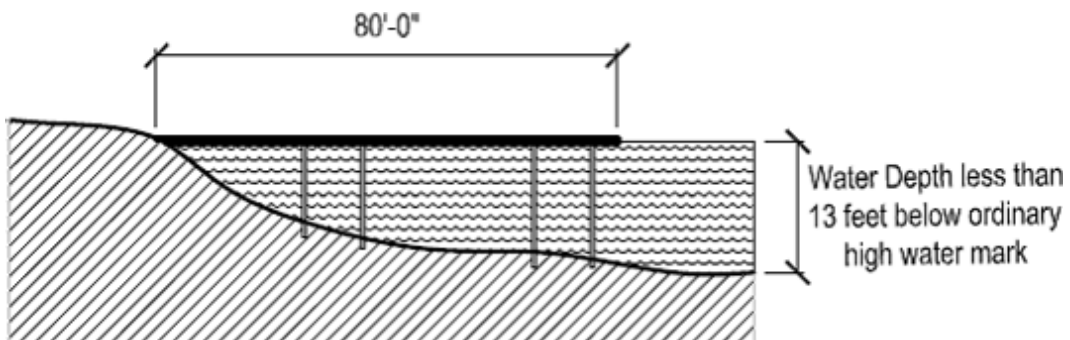
Example Maximum Pier Coverage Multifamily Residential Zones

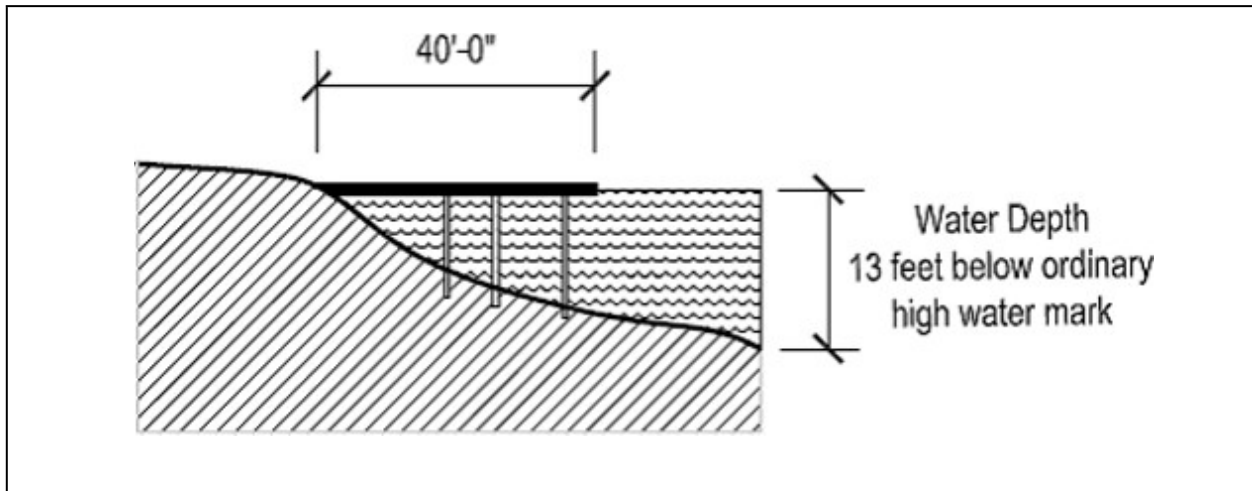


- 6. Pier Length. The maximum pier or dock length from the shoreline shall be the lesser of 80 feet or a length necessary to reach a water depth at the end of the pier of 13 feet below ordinary high water. (See Figure 21.68.070C.)

Figure 21.68.070C

Pier Length





7. Pier Width. No pier or dock may exceed six feet in width. Floats may not exceed ten feet in width.
8. Pier Height.
  - a. No pier or dock shall exceed four feet in height above ordinary high water.
  - b. Railings, storage bins, signs, boat lifts, and other features and structures accessory to piers, docks, and floats shall have a height limit of four feet above the deck surface.
  - c. Public access features accessory to a public pier or dock, such as seating areas or interpretive signs, shall not project more than four feet above the deck surface of a pier or dock, except that covered public shelters shall not exceed 12 feet in height above the deck surface.
  - d. Skirting, decking lower than one vertical foot above ordinary high water, or similar structures around docks and floats are not allowed.
9. Pier Setbacks. The minimum setback from any side property line is ten feet, except that shared facilities may be located adjacent to or on both sides of a property line upon agreement of the affected property owners.
10. Any utility lines serving a pier or dock shall be located below the pier deck or underground.
11. Lighting for piers and docks shall be the minimum necessary to locate the dock at night, shall be designed to minimize glare, and shall incorporate cutoff shields, or otherwise shall be directed downward toward the dock. Piers, docks, and floats that are not lighted shall incorporate reflectors for nighttime visibility.
12. Pilings and Decking. Piers, docks, and pilings shall minimize shading of the water and habitat for salmonid predators by minimizing piling and decking area, as follows:
  - a. Piers shall use steel pin pilings where wave action and substrate allow. Piers using traditional pilings shall use the minimum number of pilings necessary to support the pier and maximize the distance between pilings.
  - b. The decking of all piers and docks shall be designed to allow 50 percent light passage. This may be accomplished through grated decks, light prisms, or other means.
  - c. Piers shall be designed to span, without pilings, aquatic areas where summer water depths range between 3.3 to 6.6 feet deep.



- d. Pier platforms shall be designed and located to avoid or reduce shallow water (less than nine feet deep) shading.
  - e. Preferred construction techniques include vibratory pile drivers rather than conventional hammer pile drivers.
13. Wooden components that will be in contact with standing water or floodwaters shall not contain creosote, pentachlorophenol, or similar toxic substances. Use durable, nontoxic materials for wooden components protection. Structures shall be made out of materials that have been approved by applicable state agencies.
  14. New residential development of two or more dwellings shall provide joint use or community dock facilities rather than individual docks for each residence, when feasible.

**F. Marinas and Boat Launches.**

1. Marinas in Publicly Owned Facilities. Marinas, boat ramps, and boat launch sites located in publicly owned facilities such as parks must be available to the general public with no preference for private clubs or groups.
2. All proposals for marinas and boat-launching facilities that may require periodic removal of aquatic vegetation shall provide a comprehensive aquatic vegetation management and monitoring plan.
3. Marinas and boat launching facilities shall be located no closer than 50 feet from another marina, boat launch, or dock.
4. Marinas, boat ramps, and launching sites shall be designed and located according to the following criteria:
  - a. They shall not interfere with existing in-water recreational activities.
  - b. They shall not significantly damage fish and wildlife habitats.
  - c. They shall be designed to achieve no net loss of shoreline ecological functions.
  - d. They shall be aesthetically and functionally compatible with the shoreline area and nearby uses. Aesthetic impacts shall be avoided, or if not possible, aesthetic impacts shall be mitigated.
  - e. They shall be located only at sites with suitable environmental conditions, shoreline configuration, access, and neighborhood uses.
5. Boat launch ramps and vehicle access to the ramps shall be paved. Access to the ramp and parking for the ramp shall be located a sufficient distance from any frontage road to provide safe maneuvering of boats and trailers, and shall not be located through public beaches, or through critical habitat areas, including but not limited to Category I and II wetlands.
6. Boat launch ramps shall be designed to minimize areas of landfill or shoreline protective structures.
7. All facilities shall meet health, safety, and welfare requirements of appropriate state agencies.
8. Covered moorage is prohibited.
9. Commercial marinas are prohibited. Recreational marinas are permitted and shall provide public access.



10. If a recreational marina allows live-aboard vessels, a Shoreline Conditional Use Permit shall be required.
11. Marinas and boat launches shall not interfere with the rights of navigation.
12. Vessels shall be restricted from extended mooring on waters of the state, except as allowed by applicable state regulations and unless a lease or permission is obtained from the state and impacts to navigation and public access are mitigated.

**G. Water-Oriented Accessory Structures. Accessory structures that are water oriented and accessory to a shoreline or water-dependent use shall meet the following standards.**

1. Water-oriented accessory structures are not subject to the waterfront building setbacks or side yard setbacks of the underlying zone (see RZC 21.08.020 through 21.08.140), unless otherwise noted below.
2. Boathouses and similar water-oriented structures may extend no further waterward than the ordinary high water line. Such structures shall meet the minimum side yard setback required in the underlying zone, unless they are a joint use facility that serves more than one adjoining waterfront lot.
3. Water-oriented accessory structures shall not exceed ten feet in height and 250 square feet in area. However, multiuse structures that include storage and changing rooms may be a maximum of 500 square feet. The area of such covered structures shall be included in the maximum lot coverage and impervious surface limits of the zone in which they are located.
4. Uncovered boat lifts and similar equipment or structures used for watercraft may be located waterward of the ordinary high water mark to the waterward limit of the associated pier or dock. Such structures associated with docks shall have a height limit of four feet above ordinary high water. Such structures associated with piers shall have a height limit of four feet above the deck of the pier. Where a boatlift is used in lieu of a pier, it may extend waterward of the ordinary high water mark, provided it does not exceed four feet above the ordinary high water mark in height and meets the side yard setback of the underlying zoning district. Covered boat lifts shall not exceed 96 inches in height as measured from the ordinary high water mark.
5. Joint Use Accessory Structures. Water-oriented accessory structures that serve more than one adjoining waterfront lot may be constructed with a zero side setback from the common boundary, provided that the owners of such property enter into a reciprocal use agreement recorded with the King County Auditor.

Effective on: 4/16/2011

## **21.68.080 Shoreline Protective Structures**

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- A. **Purpose:** The purpose of this chapter is to provide standards and guidelines for the location and design of bulkheads, levees, and other shoreline protective structures that have the potential to adversely impact the shoreline natural environment. New development, however, should be located and designed to avoid the need for future shoreline stabilization to the extent feasible.
- B. **Permitted Shoreline Protective Structures.**



1. New and replacement shoreline protective structures shall be allowed under the following circumstances only:
  - a. A geotechnical analysis prepared by a licensed professional engineer demonstrates that shoreline stabilization is necessary to prevent damage to or loss of the following facilities, due to wave action, and no practicable alternative exists. The geotechnical analysis shall evaluate on-site drainage problems away from the shoreline edge before considering structural shoreline stabilization.
    - i. Existing structures, where the structure is a single-family residence or where the fair market value of the structure to be protected equals or exceeds the construction cost of the shoreline protective structure;
    - ii. Existing private roads and bridges;
    - iii. Public roads and bridges, and regional light rail transit facilities; or
    - iv. Public shoreline access facilities.
  - b. Shoreline structures are necessary to protect or enhance water quality or aquatic habitat; or
  - c. Shoreline structures are necessary to remedy an emergency situation; and
  - d. Shoreline structures, except temporary emergency construction, comply with the requirements of subsections B.2 through B.3 below, and RZC 21.68.080.C, *Design Requirements for Shoreline Protective Structures*.
  - e. Erosion is not being caused by upland conditions, such as the loss of vegetation and drainage.
  - f. Nonstructural measures, planting vegetation, or installing on-site drainage improvements are not feasible or not sufficient.
2. Shoreline protective structures, including replacement structures, shall not be located in salmon and steelhead spawning areas or freshwater clam beds, except under the following circumstances:
  - a. A hydraulic analysis demonstrates that the protective structure will have no adverse impacts on long-term stream or lake hydraulics affecting salmon and steelhead spawning areas or freshwater clam beds;
  - b. A biological inventory and analysis demonstrates that impacts to salmonids and freshwater clams are negligible; and
  - c. For nonstructural solutions, the proposed measures are necessary to protect or rehabilitate eroding shorelines, and are designed to protect or restore water quality and aquatic habitat.
3. Shoreline protective structures shall not be allowed where they will result in any of the following:
  - a. Increased or expanded residential development in undeveloped areas of the floodplain or upland of ecologically intact shorelines;
  - b. Creation of dry land waterward of the ordinary high water mark of a lake, stream, or wetland;
  - c. Loss of significant flood storage capacity in the floodplain;





- d. Deflection or constriction of flood flows to a degree which will result in significantly increased flood heights on unprotected properties; or
  - e. Loss of shoreline ecological functions.
4. An existing shoreline stabilization structure may be replaced with a similar structure if there is a demonstrated need to protect principal uses or structures from erosion caused by currents or waves, provided the following is met:
- a. The replacement structure shall be designed, located, sized, and constructed to assure no net loss of ecological functions;
  - b. Replacement walls or bulkheads shall not encroach waterward of the ordinary high water mark or existing structure unless the residence was occupied prior to January 1, 1992, and there are overriding safety or environmental concerns. In such cases, the replacement structure shall abut the existing shoreline stabilization structure.
  - c. Soft shoreline stabilization measures that provide restoration of shoreline ecological functions may be permitted waterward of the ordinary high water mark.
  - d. For the purposes of this section standards on shoreline stabilization measures, "replacement" means the construction of a new structure to perform a shoreline stabilization function of an existing structure which can no longer adequately serve the purpose. Additions to or increases in size of existing shoreline stabilization measures shall be considered new structures.
5. Breakwaters and jetties are prohibited.

**C. Design Requirements for Shoreline Protective Structures.**

1. All proposals for new and replacement shoreline protective structures, except those necessary to remedy an emergency situation, shall include all of the following:
  - a. An evaluation by a licensed professional engineer or qualified geologist who has professional expertise about the region and local shoreline geology, and processes of the hazard to be addressed, the need for the shoreline protective structure by estimating time frames and rates of erosion, and the feasibility of nonstructural alternatives, such as the relocation of structures or biotechnical solutions, to address the particular hazard.
  - b. A hydraulic analysis prepared by a licensed professional engineer that sufficiently describes the proposal's effects on stream or lake hydraulics, including potential increases in base flood elevation, changes in stream or wave velocity, changes in groundwater movement, the potential for redirection of the normal flow or currents of the stream or lake, and potential for resultant erosion at other properties adjacent to the stream or lake.
  - c. A biological inventory and analysis prepared by a professional biologist that sufficiently describes the proposal's effects on fisheries, aquatic life, and wildlife. This shall include an evaluation of shoreline ecological functions that describe how the project will achieve no net loss of shoreline ecological functions.
  - d. Where mitigation is required, a monitoring program pursuant to RZC 21.64.010.P, *Monitoring Program and Contingency Plan*.
2. Structural solutions to stabilize or reinforce shorelines shall not be allowed, unless it is demonstrated that planting of vegetation, biotechnical measures, relocation or redesign of





affected structures, or other nonstructural solutions are infeasible or ineffective in preventing or correcting significant erosion. This shall apply to new, replacement, repair, and emergency protective structures. Replacement or repair of bulkheads shall not be allowed, except where it can be demonstrated that replacement with a nonstructural solution is ineffective or infeasible. In general, hard armoring solutions are not permitted unless a geotechnical report pursuant to this section confirms that there is a significant possibility that such a structure will be damaged within three years as a result of shoreline erosion in the absence of such hard armoring measures, or where waiting until the need is that immediate, would foreclose the opportunity to use measures that avoid impacts of ecological functions.

3. Structures shall have no long-term detrimental effects on stream or lake hydraulics, including increased wave energy or erosion at other properties, or on fisheries, aquatic life, and wildlife.
4. Shoreline protective structures shall be designed to the minimum size, height, bulk, and extent necessary to remedy the identified hazard. Flood control dikes and levees shall be limited to the minimum height required to protect existing development in the floodplain from the design flood, as identified in the King County Flood Hazard Reduction Plan.
5. Methods selected for shoreline protection shall be appropriate for the length and configuration of the existing shoreline, erosional conditions at the site, the natural condition and habitat functions of the shoreline, and adjacent land uses, particularly single-family residences and public access.
6. Where structural solutions to shoreline protection are allowed, structures shall meet the following standards:
  - a. Structures shall be located landward of the ordinary high water mark, except as provided below:
    - i. Where a bulkhead exists, the toe of a replacement bulkhead shall not be located waterward of the toe of the existing bulkhead.
    - ii. To the extent necessary to protect the toe of a slope with a gradient of 40 percent or greater, a bulkhead may extend waterward of the ordinary high water mark up to a maximum of six feet beyond the ordinary high water mark.
    - iii. Flood control structures may extend waterward of the ordinary high water mark, but shall be located landward of the floodway and any wetlands associated with Class I streams or Lake Sammamish.
  - b. Filling behind bulkheads shall be the minimum amount and extent necessary to install the protective structure. Fill material must be nondissolving and nondecomposing, and shall be free of materials that would be detrimental to water quality. The elevation of the existing shoreline in the vicinity of the protective structure shall not be raised more than four feet, except where necessary for an approved flood control structure such as a levee or dike.
  - c. The existing contour of the natural shoreline shall be generally followed. Levees and dikes shall, where adjacent lands are within the same ownership or undeveloped, be set back from the ordinary high water mark to maintain natural bank gradients.
  - d. Vertical wall or solid slab bulkheads shall not be allowed, unless it is demonstrated that riprap bulkheading or an open structure is infeasible and ineffective. This shall apply to



- new, replacement, repaired, and emergency protective structures. Structures shall be designed with a tiered or sloping face, or similar design measure to minimize the impact of wave action.
- e. Riprap faces shall be constructed to a stable slope and shall be of a material of sufficient size to be stable. All riprap areas shall be interplanted with native shrubs and groundcover of native species or erosion-control grasses.
  - f. Rock used for shoreline protective structures shall be composed of clean, angular material of a sufficient size to prevent its being washed away. Rock used for toe protection shall be smooth, well-rounded gravel material suitable for use by spawning salmon and steelhead. Alternatively, spawning gravel could be added on top of toe rock if toe protection needs to be more sufficient to structurally support the weight of the larger rock required on the face of the structure.
  - g. Structures shall incorporate the installation of native aquatic plants, such as hardstem bulrush (*Scirpus acutus*), below the ordinary high water mark to mitigate the effects of introduced structures on wave action and erosion.
7. Shoreline protective structures within shorelines and other water bodies used by or that have the potential to be used by salmonids shall provide for adequate upstream and downstream salmonid migration.
  8. Shoreline protective structures shall not interfere with the public's right of navigation. Where shoreline protective structures located on the Sammamish River or Lake Sammamish are wholly or partially publicly funded, such structures shall provide public access if none exists, or enhance existing public access, commensurate with the scale of the project's impacts to public access.
  9. Shoreline protective structures shall be designed to minimize aesthetic impacts to the shoreline.
  10. Protection of Vegetation. Removal of shoreline, riparian, and aquatic vegetation shall be limited to the minimum extent necessary to construct the project. Significant trees and other shoreline or riparian vegetation shall be protected and replaced adjacent to the water body, pursuant to RZC 21.68.110, *Tree Protection, Landscaping, and Screening Within Shorelines*. All upland and aquatic areas disturbed by construction shall be replanted and restored pursuant to RZC 21.64.030.D, *Wetlands Performance/Design Standards*, and RZC 21.64.020.F, *Riparian Stream Corridor Performance Standards*.
  11. Proposals for bioengineered or other nonstructural methods involving erosion-control plantings shall include a five-year maintenance plan to ensure the long-term survival of vegetation.
  12. All proposals for shoreline protective structures shall mitigate adverse impacts to fisheries, aquatic and wildlife resources, shoreline vegetation, and impacts to other natural shoreline systems. Mitigation may include, but is not limited to, relocation of threatened structures, use of natural vegetation for bank stabilization, replacement of native vegetation, installation of in-water habitat features, replacement of gravel substrate, or restoration of shallow water habitat. At a minimum, mitigation shall meet the requirements of RZC 21.64.030.D, *Wetlands Performance/Design Standards*, and 21.64.020.F, *Riparian Stream Corridor Performance Standards*.



13. All proposals for shoreline protective structures shall include provisions for adequate erosion control, emergency erosion control, and protection of water quality, fisheries, and aquatic life during construction.
14. All material resulting from excavation or dredging during construction shall be disposed of in a manner that prevents the material entering into a water body through erosion or floodwaters.
15. Maintenance corridors and service roads accessory to a shoreline protective structure shall be the minimum size necessary to safely accomplish maintenance and repair; and shall be located, where possible, in areas already disturbed or away from significant trees, and where siltation and erosion impacts will be minimal.

Effective on: 4/16/2011

### **21.68.090 Clearing, Grading, Landfilling, and Excavation Within Shorelines**

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Clearing, grading, landfilling, and excavation within the Shoreline Jurisdiction shall also meet all clearing and grading regulations specified in RMC Chapter 15.24, *Clearing, Grading, and Stormwater Management*.

- A. **Prohibited Clearing and Grading.** The following clearing and grading activities are prohibited within the Shoreline Jurisdiction:
  1. Clearing or grading within shoreline buffers, except as part of a buffer restoration or mitigation plan and except as otherwise permitted under RZC 21.68.060.A.2 through A.5.
  2. Clearing or grading within Lake Sammamish waterfront building setbacks, except for the purpose of habitat restoration and enhancement or natural beach enhancement or protection, or the installation of residential docks, shoreline protective structures, or public access, where allowed.
- B. **Prohibited Landfilling.** The following landfilling activities are prohibited within the Shoreline Jurisdiction:
  1. Landfilling that will cause a significant change in the shoreline, or cause a significant reduction of the normal surface area of a body of water at ordinary high water; and
  2. Landfilling within salmon and steelhead spawning areas, or where the drift of fill materials is likely to adversely affect spawning areas.
- C. **Permitted Landfilling and Excavation.** Landfilling and excavation under the following circumstances may be permitted:
  1. In the High Intensity/Multiuse and Shoreline Residential shoreline environments.
  2. In the Aquatic, Natural, and Urban Conservancy shoreline environments, for the following uses only:
    - a. Enhancement or restoration of fish or wildlife habitat;
    - b. Shoreline protective structures;
    - c. In conjunction with boat launches, residential docks, and public access facilities;
    - d. Natural beach enhancement or protection to remedy or prevent erosion of a natural beach or public swimming beach, provided that beach enhancement does not create additional dry land;



- e. In conjunction with roadways and regional light rail where there is a demonstrated public need, pile or pier supports are proven infeasible; and no practicable alternative location exists;
  - f. In conjunction with floodway- or floodplain-dependent structures, such as dams or diversions for flood control or fisheries enhancement, or flood control structures, such as levees and pumping stations, where allowed;
  - g. Stormwater conveyance or treatment facilities.
3. Fill waterward of the ordinary high water mark for any use except ecological restoration should require a Conditional Use Permit.
- D. Solid Waste Disposal.** Landfills for solid waste disposal are prohibited within the shoreline.
- E. Quarrying and Mining Prohibited.** Quarrying and mining, including mining by the use of dredging techniques, are not permitted within the shoreline.
- F. Design and Construction Standards in Shorelines.** Any clearing, grading, landfill, or excavation within the Shoreline Jurisdiction shall meet the additional construction standards specified in this section. Shoreline buffers are defined in RZC [21.68.060](#), *Shoreline Buffers*. Waterfront building setbacks are defined in RZC [21.68.060.B](#), *Lake Sammamish Setback*. The Shoreline Jurisdiction is defined in RZC [21.68.020](#), *Shoreline Jurisdiction*.
1. Landfills and excavations shall not cause significant direct or indirect damage to shoreline vegetation, water quality, stream flow, fish habitat, aquatic life, or wildlife. Landfills and excavations shall achieve no net loss of shoreline ecological functions.
  2. Landfills and excavations shall not significantly reduce the aesthetic and visual qualities of the shoreline, significantly reduce public access to the shoreline, or significantly interfere with shoreline recreational uses.
  3. The extent of the landfill shall be the minimum amount and extent necessary to accomplish the purpose for the fill under subsection RZC [21.68.090.C](#), *Permitted Landfilling and Excavation*, of this section.
  4. Landfilling shall not create unstable land conditions, cause subsidence, cause land to rise, or otherwise jeopardize public safety and property.
  5. Fill material shall consist of clean materials, free of toxins or other wastes that may degrade water quality or shoreline habitat.
  6. All proposals for landfills within the floodplain shall provide confirmation that an equal water storage capacity is maintained and that no significant direct or indirect damage to the watercourse, water quality, stream flow, or aquatic life will occur, and compliance with the development standards for flood hazard areas as outlined in RZC [21.64.040.C](#), *Flood Hazard Areas – Development Standards*.
  7. Any clearing or grading within a shoreline buffer shall also meet the requirements for stream buffers and wetland buffers in the City’s critical areas regulations, RZC [21.64.030.B](#), *Wetland Buffers*, and RZC [21.64.020.B](#), *Stream Buffers*, including RZC [21.68.060.A](#), *Shoreline Buffers*.
  8. All landfilling in the floodplain is also subject to the requirements of RZC [21.64.040.C](#), *Flood Hazard Areas – Development Standards*.



9. Natural Beach Enhancement and Protection.
  - a. Materials used in landfills for natural beach enhancement and protection shall be equivalent in form, size, and function to beach material that naturally occurs at the site or other comparable natural beach site.
  - b. Beach enhancement and protection shall incorporate planting of native emergent and upland vegetation, where such vegetation would naturally occur and where planting would promote beach stabilization.
  - c. Natural beach enhancement and protection shall not:
    - i. Detrimentially interrupt littoral drift, or redirect waves, current, or sediment to other sites.
    - ii. Extend waterward more than the minimum amount necessary to achieve a reasonable level of beach stabilization.
    - iii. Result in steep contours that trap drifting sediments, impede pedestrian access, or that result in unstable slopes.
10. Protection and Replacement of Vegetation.
  - a. Within waterfront building setbacks, areas disturbed by clearing, grading, or excavation for shoreline protective structures, docks, and other improvements allowed within waterfront building setback in RZC 21.08.170.H.5, *Waterfront Building Setbacks*, shall be revegetated to ensure no net loss of shoreline ecological functions.
  - b. Vegetation Restoration. Vegetation remaining after project construction, including areas disturbed by clearing, grading, or excavation within shoreline buffers shall be restored to its native condition, equal alternative or an improved condition, pursuant to RZC 21.64.030.D, *Wetlands Performance/Design Standards*, and RZC 21.64.020.F, *Riparian Stream Corridor Performance Standards*.
  - c. Any removal of trees within the Shoreline Jurisdiction shall also meet the requirements of RZC 21.68.110, *Tree Protection, Landscaping, and Screening Within Shorelines*.

Effective on: 4/16/2011

## **21.68.100 Fences**

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- A. **Prohibited Locations.** Fences are prohibited in stream buffers.
- B. **General Regulations.** Fences in residential and other zones are regulated in RZC 21.24, *Fences*.

Effective on: 4/16/2011

## **21.68.110 Tree Protection, Landscaping, and Screening Within Shorelines**

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- A. **Tree Protection.** In addition to RZC 21.32, *Landscaping*, and RZC 21.72, *Tree Preservation*, all development within the Shoreline Jurisdiction shall comply with the additional tree protection, landscaping, and screening requirements of this section. Where there is a conflict between regulations, the more restrictive regulation shall apply.





1. Tree Protection Requirements. To maintain the ecological functions that trees provide to the shoreline environment, including air quality, wildlife habitat, temperature and glare attenuation, and aquifer recharge, significant trees shall be retained as follows:
  - a. Consistent with [21.72.060](#), *Tree Protection Standards*, a minimum of 35 percent of the existing significant trees shall be preserved on-site. (b) Within the waterfront building setback, significant trees shall be retained, except where the tree is dead, diseased, dying, or hazardous. (c) Within the shoreline buffer, trees shall be removed only where allowed under RZC [21.64.010.Q](#), *Buffer Areas*, and [21.64.020.B](#), *Stream Buffers*. (d) Within the Shoreline Jurisdiction, significant trees shall not be removed or topped for the purpose of creating views. Nondestructive thinning of lateral branches to enhance views is allowed.
2. Tree Replacement. Significant trees that are removed, or significant trees designated for protection that are irreparably damaged or destroyed, shall be replaced. Replacement trees shall be planted as follows:
  - a. Each existing significant tree shall be replaced with two new trees.
  - b. For each additional three inches diameter at breast height (d.b.h.) above six inches diameter at breast height (d.b.h.), one additional replacement tree shall be planted, up to six trees.
  - c. Where on-site tree replacement is not feasible, the Administrator may allow up to 60 percent of the required replacement trees to be planted off-site, pursuant to RZC [21.72.080](#), *Tree Replacement*. Replacement trees shall be planted within or adjacent to the Shoreline Jurisdiction. Trees planted in proposed landscaping of the site perimeter, vehicle use areas, shoreline buffers, and other areas of the site may be counted as replacement trees.
  - d. See RZC [21.72.080.C](#), *Replacement Specifications*, for size, species, and condition of replacement trees.
3. Trees planted within shoreline public open space areas and public trail corridors shall be maintained only under the supervision of Redmond Parks Department.

#### **B. Landscaping and Screening in Shorelines.**

1. Landscaping Within Stream Buffers: Within stream buffers, landscaping shall meet the additional requirements of RZC [21.64.030.D](#), *Wetlands Performance/Design Standards*, and RZC [21.64.020.F](#), *Riparian Stream Corridor Performance Standards*.
2. Landscape Area Requirements. In Business (CO, CB, NC & GC) zones, 25 percent of the site shall be landscaped. In the Business Park Zone, 22 percent of the site shall be landscaped if the site is less than one acre and 20 percent of the site shall be landscaped if the site is one acre or larger in size. In Industrial (MP & I) zones, 20 percent of the site shall be landscaped if the site is less than one acre, and 18 percent of the site shall be landscaped if the site is one acre or larger in size. In multifamily residential zones (R12, R18, R20 & R30), 50 percent of the site shall be landscaped. Vegetated buffers may be used to meet the site area landscaping requirements.
3. Screening of Storage and Service Areas.
  - a. All outdoor storage areas shall be screened on all sides, pursuant to RZC [21.38.010.C](#), *Screening*.





- b. All vehicle use areas located adjacent to, or visible from public parks or open space, the water body, or shoreline trails or public access features shall be screened from the water body, shoreline trails, and public access features. Screening is intended to create a visual separation that is not necessarily 100 percent sight obscuring. Plantings shall be evergreen or a mixture of deciduous trees with large shrubs and groundcover interspersed with trees and/or a decorative wall or fence. Plantings shall include a minimum of 60 percent evergreen trees and shrubs.
  - c. Rooftop mechanical equipment shall be screened from the water body, shoreline trails, and public access features. Rooftop screening shall be at least as high as the equipment being screened, shall be of a material and design compatible with the building, and shall surround the building. Screening shall comply with the additional standards of RZC [21.60.040.D.1, Screening for Garbage/Recycling Enclosures and Rooftop Mechanical Equipment](#).
  - d. Garbage and trash receptacles shall be screened from the water body, shoreline trails, and public access features. Screening shall be of a material and design compatible with the associated structure and shall be at least as high as the receptacle. Screening shall meet the standards of RZC [21.38.020, Garbage and Trash Receptacle Screening](#).
4. Use of Native Plants. Landscaping within the Shoreline Jurisdiction shall incorporate a minimum of 50 percent native plants. All plantings within the shoreline buffer shall consist of native plant material. Native plantings are encouraged to be placed closest to the waterbody.

Effective on: 4/16/2011

### **21.68.120 Lighting Within Shoreline Jurisdiction**

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- A. Lighting plans shall be submitted with development proposals to demonstrate how the proposal complies with the City's "dark skies" policies.
- B. Lighting shall be designed and constructed to minimize glare, and prevent glare and light from intruding on neighboring properties.
- C. Lighting for active outdoor recreational uses shall not be illuminated by artificial light from 10:00 p.m. to 8:00 a.m. Lighting shall incorporate cutoff shields and be mitigated through screening plantings of native conifers.
- D. See RZC [21.34, Lighting Standards](#), for additional Citywide lighting standards.

Effective on: 4/16/2011

### **21.68.130 Regulations for Shoreline Recreation**

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- A. Preference shall be given to shoreline recreational developments related to enjoyment and use of water and shorelines of the state.
- B. Public Access. See RZC [21.68.180, Shoreline Access](#), for public access requirements.
- C. Motorized Vehicles. The use of motorized vehicles for recreational purposes within shoreline buffers and waterfront building setbacks is prohibited. The use of motorized vehicles within the shoreline, except golf carts associated with a golf course, shall be limited to public streets.



- D. Motorized Boats.
  - 1. Power-operated boats and jet skis are prohibited in Bear and Evans Creeks.
  - 2. Jet skis are prohibited on the Sammamish River.
  - 3. Power-operated boats on the Sammamish River shall not exceed the speed limit established in RMC Chapter 14.16, Operation of Vessels and Personal Watercraft.
  - 4. Power-operated boats and jet skis on Lake Sammamish operated within 100 yards of the shoreline, swimming area, dock, or restricted area shall not exceed the speed limits established in RMC Chapter 14.16, Operation of Vessels and Personal Watercraft.
- E. Boat-launching facilities are not permitted on Bear and Evans Creeks.
- F. Harassment of, or taking of any wildlife species within shoreline buffers or shoreline setbacks other than fishing under WDFW license or treaty, is prohibited.
- G. Public recreational development facilities shall be located, designed, and operated in a manner to assure no net loss of shoreline ecological functions or ecosystem-wide processes results.
- H. Playfields, ballfields, golf courses, and similar large-scale outdoor recreational uses located within the Shoreline Jurisdiction shall meet the additional standards below:
  - 1. No more than 20 percent of the site shall be covered with buildings, parking, and other impervious surfaces.
  - 2. Buildings and parking areas shall be sited in locations least likely to block or interrupt scenic vistas from public open spaces, public roadways, and surrounding residential areas, and to minimize impacts on uses on adjacent properties.
  - 3. Parking and storage areas shall be screened from the shoreline, per [RZC 21.32, Landscaping](#), and [RZC 21.38, Outdoor Storage, Retail Display, and Garbage and Recycling Enclosures](#).
  - 4. Freestanding signs shall have a maximum height of five feet.
  - 5. No uses shall be externally illuminated by artificial light except for parking lot lighting, safety lighting near buildings, and outdoor recreational uses. Outdoor recreational uses shall not be illuminated by artificial light from 10:00 p.m. to 8:00 a.m. All lighting shall be designed and constructed to minimize glare, and prevent glare and light from intruding on neighboring properties.
- I. Large-scale outdoor recreational uses located within the Urban Recreation zoning districts shall meet the additional standards contained in [RZC 21.06.060, Special Use Standards for Recreational Uses](#).
- J. Amusement parks, water slides, miniature golf courses, motorized or nonmotorized race tracks, and uses similar to any of these uses shall be prohibited within the Shoreline Jurisdiction.
- K. Trails and other public access facilities shall meet the additional standards contained in [RZC 21.68.180, Shoreline Access](#).
- L. Recreational structures located waterward of the ordinary high water mark are regulated by [RZC 21.68.070, In-Water Structures](#).
- M. See [RZC 21.36, Open Space](#), for additional Citywide open space and recreation standards.
- N. Commercial recreational development shall be consistent with [21.68.050.D.5, Commercial, Wholesale, and Retail Uses](#).



Effective on: 4/16/2011

## **21.68.140 Parking Facilities Within Shorelines**

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Parking facilities associated with all uses other than single-family residential within the Shoreline Jurisdiction shall comply with the following additional requirements:

- A. Parking facilities are prohibited in the Lake Sammamish waterfront building setbacks established in [21.68.060.B](#), Lake Sammamish Setback.
- B. Parking facilities are prohibited within shoreline buffers established in [21.68.060.A](#), Shoreline Buffers, unless in a location where the shoreline environment is High Intensity/Multiuse, and where clearing, grading, disturbance, or alteration already exists within the outer and/or inner buffer.
- C. Parking facilities within the Shoreline Jurisdiction shall be located upland of or beside buildings. Parking, loading bays, and other vehicle use areas shall be screened from the shoreline pursuant to RZC [21.68.110](#), *Tree Protection, Landscaping, and Screening Within Shorelines*.
- D. Parking Bonus for Shoreline Access Parking. Additional parking stalls above the maximum number allowed under the Allowed Use and Development Chart for the applicable zone shall be granted to properties adjacent to shoreline trails and shoreline trail connections for the dedication of parking for shoreline trail users.
  1. One additional parking stall above the maximum shall be allowed for each parking stall dedicated to public use. One-half (.5) stall above the maximum shall be allowed for each cooperative parking stall shared between private and public users. Dedicated or cooperative stalls shall be designated as public with signs.
  2. All parking stalls dedicated to or shared with the public shall be exempt from the maximum parking spaces under the Allowed Use and Development Chart for the applicable zone.
- E. See [RZC 21.40](#), *Parking Standards*, for additional Citywide parking regulations.

Effective on: 4/16/2011

## **21.68.150 Signs**

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### **A. Signs Regulations in Shoreline Jurisdiction.**

1. Signs within the Shoreline Jurisdictions, except directional, address, and interpretive signs, shall be oriented away from, or screened from public shoreline areas and the water body, and shall minimize glare into fish and wildlife habitats, buffers, shoreline views, and public access areas.
2. The maximum permitted height of a freestanding sign within the Shoreline Jurisdiction is five feet.
3. See [RZC 21.44](#), *Signs*, for additional Citywide sign regulations.

### **B. Amortization of Off-Premise Signs Within the Shoreline.**

1. Any off-premise sign, excluding sandwich board signs, located within the Shoreline Jurisdiction that was legally established and in use prior to the effective date of this section



may continue to be used for five years from the effective date, provided that the off-premise sign is in compliance with all regulations, including critical areas and shorelines regulations, in effect when the sign was legally established.

2. After the five-year amortization period in subsection B.1 above has ended, any off-premise sign, excluding sandwich board signs, located within the Shoreline Jurisdiction that was legally established prior to the effective date of this section shall be a prohibited use and structure; and it shall be removed.

Effective on: 4/16/2011

## **21.68.160 Utilities Within Shorelines**

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- A. **Permitted Locations.** Utilities may be allowed within the Shoreline Jurisdiction pursuant to RZC 21.68.050.C, *Uses and Activities in Shoreline Environments*. Utilities includes all services and facilities that produce, convey, store, or process power, gas, water, sewage, communications, oil, waste, and the like.
- B. **Construction Standards.** Where allowed, utilities shall meet the following construction standards:
  1. Primary above-ground utilities not dependent on a shoreline location shall be located outside of the Shoreline Jurisdiction, unless it is demonstrated that no feasible alternative location exists.
  2. All utility facilities shall be designed and located to assure no net loss of shoreline ecological functions and preserve the natural landscape.
  3. All utility facilities shall be designed and located to minimize conflicts with present and planned land and shoreline uses while meeting the needs of future populations in areas planned to accommodate growth.
  4. Transmission facilities for the conveyance of energy and communication services, such as power lines, cables, and pipelines, shall be located outside the Shoreline Jurisdiction where feasible, and when necessarily located within shoreline areas, shall assure no net loss of shoreline ecological functions.
  5. Utility transmission lines, pipelines, and cables shall be placed underground, pursuant to RZC 21.17.020, *Electrical Equipment and Wiring*.
  6. Utilities shall be located in existing rights-of-way, utility corridors and sites, and bridge crossings wherever feasible. However, no additional utilities shall be located in the utility corridor along the west side of the edge of Lake Sammamish containing the City's sewer line.
  7. Water Crossings.
    - a. New corridors involving above-water crossings or underwater tunneling are prohibited, unless it is demonstrated that no feasible alternative exists.
    - b. Underwater pipelines transporting hazardous substances or other substances harmful to aquatic life or water quality are prohibited, unless it is demonstrated that no feasible alternative exists. Such pipelines shall meet the requirements for transmission lines within floodways contained in RZC 21.64.040.C.3.i.



- c. Where it is necessary for transmission and distribution lines to cross water bodies, crossings shall be by the shortest, most direct route feasible, unless alternative locations would provide better protection of the shoreline natural environment.
8. Landfilling in the Aquatic, Natural, and Urban Conservancy shoreline environments for non-water-dependent utilities is prohibited.
9. Where allowed, utilities located within the Aquatic, Natural, and Urban Conservancy shoreline environments shall be designed and located to minimize the need for shoreline protective structures.
10. New publicly owned utility corridors maintained by a public or quasi-public utility shall incorporate shoreline public access, such as trails, viewpoints and vehicle turnouts, where compatible with adjacent land uses and the shoreline natural environment. Corridors owned by private utility entities shall be integrated, where possible, with trails or other open space connections to the shoreline. This requirement does not apply to utilities in easements on private property.
11. Utilities shall not encroach into shoreline view corridors unless no feasible alternative exists. Where the aesthetic quality of the shoreline may be degraded, utilities shall incorporate screening and landscaping sufficient to maintain the shoreline aesthetic quality.
12. Outfalls. Outfalls and discharge pipes located upstream of salmon and steelhead spawning areas and freshwater clam and mussel beds shall be designed and constructed to minimize downstream disturbance. Outfalls shall not be located within salmon and steelhead spawning areas, or freshwater clam and mussel beds, unless the following criteria are met:
  - a. No feasible alternative location exists;
  - b. The outfall is placed below the surface of the beach or streambed;
  - c. The outfall discharges waterward of the littoral zone or further, where necessary to prevent discharge directly into shallow areas used by salmon and steelhead; and
  - d. Any disturbed upland or aquatic areas are revegetated and enhanced with native plants, habitat features, and restored substrate.
13. Clearing of vegetation within utility corridors shall be the minimum necessary for infrastructure maintenance and public safety, and is subject to the requirements of RZC [21.68.170, Vegetation Management](#).
14. Stormwater conveyance and detention facilities shall be designed to incorporate native trees, shrubs, and groundcover plants and, where applicable, native aquatic vegetation. Use of nonnative turf grasses shall be limited to a maximum of 25 percent of the conveyance or detention area. Detention facilities shall be designed with a maximum side slope of 3:1.
15. Utilities located in the floodplain are subject to the additional requirements of RZC [21.64.040.C, Flood Hazard Areas – Development Standards](#).
16. Utilities are subject to the stream and wetland buffers, and Fish and Wildlife Habitat Conservation Areas requirements contained in [RZC 21.64, Critical Areas Regulations](#).
17. See [RZC 21.17, Adequate Public Facilities and Undergrounding of Utilities](#), for additional Citywide utility standards.

(Ord. 2652)





Effective on: 4/16/2011

## 21.68.170 Vegetation Management

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- A. **Purpose:** The purpose of this chapter is to protect shorelines, critical areas, fish and wildlife habitat, and other natural areas from potentially adverse management activities, and to implement the goals and policies for the protection of the natural environment contained in the City of Redmond Comprehensive Plan.
- B. **Vegetation Management Within Shorelines.**
1. Preservation of Shoreline Vegetation. Trees and other vegetation within the shoreline shall be preserved consistent with RZC 21.68.110, *Tree Protection, Landscaping and Screening Within Shorelines*, RZC 21.68.060.A *Shoreline Buffers*, and RZC 21.68.060.B, *Lake Sammamish Setback*.
  2. Clearing and grading within the shoreline is regulated by RZC 21.68.090, *Clearing, Grading, Landfilling, and Excavation Within Shorelines*.
  3. Aquatic Vegetation Removal Prohibited.
    - a. Removal of aquatic vegetation within the Aquatic, Natural, or Urban Conservancy Shoreline Environments is prohibited, except where:
      - i. authorized under an approved habitat enhancement plan, adopted basin plan, or authorized aquatic weed management program; and where
      - ii. native plant communities and habitats are threatened or an existing water-dependent use is threatened by the presence of aquatic weeds.
    - b. The removal of native aquatic plants is prohibited, except where:
      - i. an existing water-dependent use is threatened; or where
      - ii. the overabundance of the native plant threatens fish and wildlife habitat.
    - c. The use of herbicides to control aquatic vegetation is prohibited, except where:
      - i. no reasonable alternative exists;
      - ii. the use of herbicides has been approved through a comprehensive vegetation management and monitoring plan; and where
      - iii. authorized by the City or other agency through the environmental review process pursuant to WAC 197-11, the State Environmental Policy Act.
    - d. Where aquatic vegetation removal becomes necessary, it shall be the minimum area and duration necessary to accomplish the stated objectives of the removal program, and shall minimize negative impacts on wildlife, fish, and shoreline habitat.
    - e. Aquatic vegetation management programs shall include preventive measures and monitoring recommendations.
    - f. Aquatic vegetation removal activities within the Shoreline Jurisdiction shall comply with the requirements of the responsible agencies; i.e., Washington State Departments of Agriculture, Fish and Wildlife, or Ecology, or the Federal Environmental Protection Agency.
  4. Vegetation Removal Restricted.





- a. Normal pruning and trimming of landscape plants within the Shoreline Jurisdiction are exempt from the requirements of this subsection.
  - b. Vegetation removal within shoreline buffers and waterfront building setbacks shall be allowed only for the purposes of maintaining established landscaping, maintaining public safety, maintaining an allowed shoreline use or improvement, or to enhance fish or wildlife habitat, provided that:
    - i. removal shall not be by mechanical means unless no feasible alternative exists;
    - ii. the extent of removal is the minimum necessary to achieve the above purposes;
    - iii. native plants are not removed for the purpose of establishing nonnative plants; and
    - iv. the timing and duration of such removal is demonstrated not to have long-term adverse impacts on wildlife or fish.
5. Application of Herbicides, Pesticides, and Fertilizers.
- a. The application of pesticides, herbicides, or fertilizers within shoreline buffers or waterfront building setbacks is discouraged, and shall be the minimum necessary for the long-term maintenance or restoration of fish or wildlife habitat, restoration, or maintenance of native plants, or maintenance of existing landscaping.
  - b. Herbicides and other agricultural and landscape chemicals shall be applied in a manner that minimizes their transmittal to adjacent water bodies. The direct runoff of chemical-laden waters into adjacent water bodies is prohibited. Aerial spraying of herbicides, pesticides, and fertilizers within 500 feet of the ordinary high water mark of the adjacent water body is prohibited.
  - c. Within 20 feet of the shoreline buffer or waterfront building setback, broad spectrum herbicides shall be used only for spot application with wicking or small spray equipment on noxious weeds.
  - d. The use of time-release fertilizers and herbicides shall be preferred over liquid or concentrate application on turf within the Shoreline Jurisdiction.
  - e. The use of pesticides, herbicides, or fertilizers within the Shoreline Jurisdiction shall comply with regulations of responsible agencies; i.e., Washington State Departments of Agriculture, Fish and Wildlife, or Ecology, or the Federal Environmental Protection Agency.
  - f. Sports fields, parks, golf courses, and other outdoor recreational uses that require maintenance of extensive areas of turf shall provide a chemical management plan or integrated turf management program designed to ensure that existing water quality of adjacent water bodies and aquifers is maintained. The chemical management plan or integrated turf management program shall incorporate facilities and management methods sufficient to maintain water quality, including stormwater treatment facilities adequate to remove a minimum of 50 percent of excess phosphorous and nitrogen, and up to 25 percent additional shoreline and shoreline tributary buffers where necessary to protect water quality.
6. Landscape Maintenance Required.
- a. All landscaped areas within the Shoreline Jurisdiction, shoreline buffers, and shoreline setbacks shall be managed and maintained to prevent the excessive growth of noxious weeds as required by RMC Chapter 6.12.030, *Owner* to control noxious weeds.



- b. Areas disturbed by removal of noxious or invasive plants shall be replanted in a timely manner with native vegetation.
7. Where large quantities of plants are removed by vegetation control activities, plant debris shall be collected and disposed of in an appropriate upland location outside of shoreline buffers and waterfront building setbacks.

Effective on: 4/16/2011

## **21.68.180 Shoreline Access**

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### **A. Shoreline Access Requirement.**

1. **Public Access.** Except as otherwise provided in 21.68.180.A.2, *Development Along Downtown Shorelines*, all development within the Shoreline Jurisdiction shall provide physical public access to the shoreline as shown on the Shoreline Public Access System map (Figure S-1 of the Shoreline Master Program in the Redmond Comprehensive Plan) except where:
  - a. Fewer than ten (10) new dwelling units will be constructed or renovated;
  - b. The proposed subdivision involves fewer than ten (10) lots;
  - c. Industrially developed sites;
  - d. The development consists of interior improvements only;
  - e. The value of a proposed redevelopment of nonresidential structures and improvements is less than 25 percent of the assessed value of existing site improvements.
2. **Development Along Downtown Shorelines.**
  - a. Development and uses adjoining the Sammamish River, Bear Creek, and their associated parklands shall provide convenient pedestrian access through the site to these features, excepting development and uses lying between NE 83rd Street, if extended, and the Burlington Northern Santa Fe (BNSF) right-of-way (ROW) to the south, which shall provide a pathway or walkway between the development and the Sammamish River Trail) unless modified through an approved development agreement where access from the site to the river or creek/parkland is provided.
  - b. Buildings within 100 feet of a property line of a waterway or park, except single-story retail buildings, shall provide building entrances, balconies, or other such building features or site features; e.g., plazas or pedestrian features, on the façade fronting waterways or parks to allow users of the buildings to interrelate with the waterway or park.
  - c. Buildings next to trails and walkways along waterways and parks shall incorporate pedestrian-scaled/friendly architectural features on the façades facing the trails/pathways.
3. **Private Access.** Residential developments of fewer than ten (10) dwelling units or lots shall provide physical access for residents from the development to the shoreline.
4. Where physical public access is required, development located within the shoreline shall provide, at a minimum, all of the following access facilities at that shoreline location, as specified below:



- a. Bear/Evans Creeks:
    - i. A trail corridor width meeting AASHTO standards for nonmotorized multiuse trail facilities parallel to the creek located a minimum of 100 feet from the ordinary high water mark and dedicated for the Bear and Evans Creek Trail and Greenway;
    - ii. The trail may be located within 100 feet from the creek's ordinary high water mark only when it has been demonstrated that it is absolutely necessary, no reasonable alternative exists, existing facilities do not increase the degree of nonconformity, and appropriate mitigation is implemented to ensure no net loss of the ecological functions of the shoreline;
    - iii. Where point access is identified on the Shorelines Public Access System map, Figure S-1, a designated 8-foot-wide public multiuse trail from the public street to the outside edge of the stream buffer; and
    - iv. A designated private or public pedestrian pathway from common building entrance(s) to the outside edge of the stream buffer.
  - b. Sammamish River:
    - i. During river restoration and/or trail improvement projects, the Sammamish River Trail may be widened to be brought into compliance with AASHTO standards for trail safety, provided the widening is no closer to the Sammamish River than the existing trail pavement edge, and mitigation per [RZC 21.64](#), Critical Areas Regulations, is required;
    - ii. Where point access is identified on the Shorelines Public Access System map, a designated 8-foot-wide public multiuse trail from the public street to the Sammamish River Trail; and
    - iii. A designated private or public pedestrian pathway from common building entrance(s) to the Sammamish River Trail.
  - c. Lake Sammamish:
    - i. Where point access is identified on the Shoreline Public Access System map, Figure S-1, a designated 8-foot-wide public multiuse trail from the public street to the outside edge of the waterfront building setback; EXCEPT where equivalent public access can be provided on public lands adjacent to Lake Sammamish within one-quarter mile of the development; and
    - ii. A designated private or public pedestrian pathway from common building entrance(s) to the outside edge of the waterfront building setback.
5. Where private access is required, the development shall provide, at a minimum, the following:
- a. On Bear/Evans Creeks: A designated pedestrian pathway from common building entrance(s) or common area(s) to the outside edge of the stream buffer.
  - b. On Sammamish River: A designated pedestrian pathway from common building entrance(s) or common area(s) to the Sammamish River Trail.
  - c. On Lake Sammamish: A designated pedestrian pathway from common building entrance(s) or common area(s) to the outside edge of the waterfront building setback.



- B. **Water Access Facilities.** A shoreline development may provide water access facilities, such as viewing platforms, piers, boat launches, or trails to the water's edge, at points along the shoreline designated in the Shorelines Public Access System map (Figure S-1), or designated by the Technical Committee.
1. The Technical Committee may accept water access facilities in lieu of the required public access in the above section A.3, Private Access, where consistent with Redmond's shoreline access policies.
  2. Public water access facilities may be located within shoreline buffers to the extent allowed in RZC 21.64.020.B, *Stream Buffers*, and within Lake Sammamish waterfront setbacks, provided that such facilities shall be allowed only where impacts to shoreline vegetation and habitat will be minimal.
- C. Public rights-of-way within the Shoreline Jurisdiction shall not be vacated unless it can be demonstrated that such rights-of-way do not provide, nor have the potential to provide, shoreline public access.
- D. See RZC 21.52 for additional Citywide Transportation and Access Standards.
- E. See RZC 21.32, *Landscaping*, for additional Citywide landscaping standards.

Effective on: 4/16/2011

## **21.68.190 Protection of Resources Within Shoreline Jurisdiction**

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### **A. Shoreline Views.**

1. *Identification of Citywide Shoreline Public Views.* Consistent with RZC 21.42, *Public View Corridors and Gateways*, Map 42.1, *Public View Corridors*, identified significant shoreline views from public spaces. These views include the following:
  - a. Territorial view of the Sammamish Valley Along NE 116th Street [RZC 21.42.060.B].
    - i. Description of View to Be Protected. A territorial view of the Sammamish Valley and Mt. Rainier can be seen along NE 116th Street from Willows Road to the York Bridge.
    - ii. Solid fencing, solid hedges, or rows of trees will not be allowed south of NE 116th Street in the Urban Recreation zone if fencing or the height of the landscaping at mature growth would block views of the Sammamish Valley or of Mt. Rainier. The use of street trees or median dividers with hedges for roadway improvements shall not be allowed.
  - b. Territorial View of the Sammamish Valley Along Willows Road [RZC 21.42.060.C].
    - i. Description of View to Be Protected. A territorial view of the Sammamish Valley with distant ridgelines of Education Hill in the background and a view of Mt. Rainier can be seen along Willows Road from just north of the Willows Run Golf Course complex to the city limit.
    - ii. Solid fencing, solid hedges, or rows of trees will not be allowed along the east edge of Willows Road or along property lines between the road and the Sammamish River. The use of street trees on the eastern edge or median dividers with hedges for roadway improvements shall not be allowed.
  - c. Puget Power Trail to Sammamish Valley [RZC 21.42.060.D].







public shoreline views shall be subject to the following design standards:

- a. Site development should blend with natural landforms and be designed to maximize scenic views identified as public view corridors.
- b. Consider the impact of building mass, color, lighting, and design upon adjacent open spaces, continuity of identified public views corridors, public open spaces or parks, and recreational areas.
- c. Encourage enhancement of natural landscapes and preservation or enhancement of identified public view corridors to natural landforms or water bodies after initial clearing and development.
- d. Views through a development, where identified as public view corridors or shoreline views, should be preserved, opened up, or designed to become part of the surrounding open space focus. Designs that offer views or partial views into interior open spaces are encouraged.
- e. Orient buildings to retain and offer views to, from, and through the site where identified as public view corridors or shoreline views by taking advantage of topography, building location, and style.
- f. Placement of landscaping and eventual height of plantings should ensure that identified public view corridors are preserved.
- g. Provide space on-site for active and/or passive recreational purposes. When located in an identified public view corridor, this open space may also provide views through a development to important features such as: Lake Sammamish, the Sammamish River Valley, Bear Creek, or panoramic mountain views.

3. *Additional Shoreline View Requirements.*

- a. Public shoreline views along the Sammamish River corridor are provided by the Sammamish River Trail along the east side of the river and the informal trail along the west side of the river. Because of this public facility and the established Citywide Shoreline Public Views identified in 1 above, additional public shoreline view regulations and provisions within proposed developments for public views are not required along the Sammamish River.
- b. Public shoreline views along the Bear/Evans Creek Valley are protected to some degree by Citywide Shoreline Public Views identified in 1 above. Potential public physical access will eventually be provided by the Bear/Evans Creek Trail Greenway System, which in turn will provide public visual access.
- c. Public shoreline views along the north side of Bear Creek (between the Sammamish River and Union Hill Road) are provided by the Bear Creek Trail. Additional public shoreline view regulations are not required for this reach of Bear Creek.
- d. One public shoreline view of Lake Sammamish is identified in 1.e above via Idylwood Park. Public view corridor regulations of single-family homes along Lake Sammamish shall not be required.

**B. Shoreline Cultural Access.** – Reserved.

Effective on: 4/16/2011

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## **21.68.200 Shoreline Administration and Procedures**

**A. Administrative Interpretations.** The Administrator may adopt such code interpretations as necessary to administer the Shoreline Master Program policies and regulations. Any formal





written interpretations of shoreline policies or regulations shall be submitted to the Department of Ecology for review.

**B. Nonconformances.**

1. Nonconformities, as defined in RZC 21.78, *Definitions*, may continue to be used and maintained in accordance with the provisions of this chapter except as otherwise provided in RZC 21.68.150.B, *Amortization of Off-Premise Signs Within the Shoreline*. The use and maintenance is permitted as a result of vested rights obtained through the legal establishment of the nonconforming use or structure.
2. Nonconforming Shoreline Uses. A nonconforming use located within the Shoreline Jurisdiction may not be enlarged or expanded. If a nonconforming use is discontinued for twelve consecutive months or for twelve months during any two-year period, the nonconforming rights shall expire; and any subsequent use shall be conforming.
3. Nonconforming Shoreline Structures. A nonconforming structure may not be expanded or altered in any way so as to increase that nonconformity, provided, however, that nonconforming shoreline structures may be maintained and repaired and may be enlarged or expanded, provided that said enlargement or expansion does not extend the structure closer to the shoreline. A nonconforming structure shall be brought into full compliance with the Redmond Zoning Code, meaning the development shall be modified to make it code compliant, when alteration or expansion of the structure takes place and the following takes place within any three-year period:
  - a. The gross floor area of the structure is increased by 100 percent or more; or
  - b. The costs stated on all approved building permit applications for the structure equal or exceed the assessed value of the structure at the beginning of that three-year period.
4. Nonconforming Lot. A nonconforming lot may be developed if permitted by other land use regulations and so long as such development conforms to all other requirements of the Shoreline Master Program and the Shoreline Management Act.

**C. Shoreline Permits.**

1. Purpose. It is the purpose of this section to describe the procedures and requirements for development within specified areas related to lakes, rivers, streams, wetlands, and floodplains as required to implement the Shoreline Management Act, as amended, RCW Chapter 90.58, and to aid in implementation of the Federal Flood Insurance Program and the State Flood Control Zone Program.
2. Permit Required. Within the Shoreline Jurisdiction, as described in RZC 21.68.020, *Shoreline Jurisdiction*, development shall be allowed only as authorized in a Shoreline Substantial Development Permit, Shoreline Conditional Use Permit, or Shoreline Variance Permit unless specifically exempted from obtaining such a permit under RZC Section 21.68.200.C.3, *Exemptions*. Enforcement action by the City or Department of Ecology may be taken whenever a person has violated any provision of the Shoreline Management Act or any Redmond Shoreline Master Program provision, or other regulation promulgated under the Act. Procedures for enforcement action and penalties shall be as specified in RMC Chapter 1.14, *Enforcement and Penalties*. In addition, where a single integrated development encompasses both shoreline and non-shoreline areas, a Shoreline Substantial Development Permit must be obtained before any part of the development, even a portion of a single integrated development that is entirely confined to the upland areas, can proceed.
3. Exemptions. Proposals identified under WAC 173-27-040 are exempt from obtaining a Shoreline Substantial Development Permit; however, a Shoreline Variance or Shoreline Conditional Use Permit may still be required. Applicants shall have the burden to



demonstrate that the proposal complies with the requirements for the exemption sought as described under WAC 173-27-040. Some exempt development shall not commence until the City of Redmond has issued a Letter of Exemption. Letters of Exemption shall be subject to a Type I permit process. The table below identifies the exemptions existing on the date of this code and categorizes them as requiring or not requiring a Letter of Exemption. Note: Shoreline Exemptions may also be identified in RCW 90.58, as updated periodically by the legislature.

- 4. Revisions to WAC 173-27-040. With subsequent revisions to WAC 173-27-040, the Administrator shall determine administratively whether a Letter of Exemption is required and issue said decision as an Administrative Interpretation under RZC 21.68.200.A.

The following table discusses when an application is required for a potential Shoreline Exemption.

Table 21.68.200 Shoreline Exemptions Process, WAC 173-27-040 (2)	
No Application Required*	Application Required**
Aquatic weed control (n) <sup>1</sup>	Fair market value <= <del>\$6,416</del> <u>\$7,074</u> (a)
Construction practices normal for farming (e)	Construction of normal bulkheads (c) <sup>2</sup>
Navigational aids (f)	Emergency construction (application submitted after-the-fact if needed) (d)
Operation and maintenance of waterways (i)	Single-family residences (g)
Marking of property lines (j)	Docks <= <del>\$10,000</del> <u>\$20,000</u> (h)
Operation and maintenance of dikes and levies (k)	Watershed restoration projects (o)
Projects with certification from the Governor (l)	Fish and Wildlife restoration projects (p)
Site exploration (m)	Normal maintenance and repair of existing uses.
	<u>The external or internal retrofitting of an existing structure with the exclusive purpose of compliance with the American Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.) or to otherwise provide physical access to the structure by individuals with disabilities. (q)</u>

**TABLE NOTES:**  
1 Other state agency permits may be required.  
2 Bulkhead construction is only exempt if the proposed bulkhead is located at or near the ordinary high water mark and is needed to protect an existing residence or appurtenant structure from loss or damage by erosion.  
\* "No Application Required." These activities do not require an application or Letter of Exemption, but shall comply with the City of Redmond's Shoreline Master Program and Redmond Zoning Code.  
\*\* "Application Required." These activities require a Letter of Shoreline Exemption for the City of Redmond before they may commence. An application shall be on the Joint Aquatic Resources Permit Application form and any other application forms deemed appropriate by the Administrator. Applications may be deemed complete when required forms and attachments are provided consistent with a Shoreline Exemption Development Application Checklist. The applicant shall identify whether the proposal meets the requirements of WAC 173-27-050 (an application which requires a Corps of Engineers Section 10 or Section 404 Approval). If so, a copy of the Letter of Exemption shall be filed with the Department of Ecology.  
Administrative Note: The Office of Financial Management is required to adjust the cost threshold for inflation every five years. These costs are effective regardless of the threshold amount stated above. The exemption thresholds for Fair Market Value and Docks became effective September 2, 2017.



5. Letters of Exemption Required. Applications for Exempt Status may be denied, approved, or conditionally approved through a Type I permit process and in a format approved by the Administrator. The format of the decision shall contain, at a minimum, those items identified under WAC 173-27-050. Copies of the decision shall be sent to the Department of Ecology if the proposed development requires those permits listed under WAC 173-27-050 (1) (a) and (b). The applicant is responsible for determining and disclosing in the Joint Aquatic Resources Permit Application whether permits listed under WAC 173-27-050 (1) (a) and (b) are required.
6. Procedures.
  - a. Shoreline Exemption. Applications for a Shoreline Exemption shall follow the procedures for a Type I review pursuant to RZC 21.76.050.F.
  - b. Shoreline Substantial Development Permit. Applications for a Shoreline Substantial Development Permit shall follow the procedures for a Type II review pursuant to RZC 21.76.050.G. In addition to required content listed in RZC 21.76.080.B, notice of applications for Shoreline Substantial Development Permits must also contain the following information:

Statements that:

- i. Any person desiring to submit written comments concerning an application or desiring to receive notification of the final decision concerning the application may submit the comments or requests for decisions to the City within 30 days of the date the notice is published pursuant to this section;
- ii. After exhausting the administrative appeals process with the City of Redmond, those parties still aggrieved by a decision may appeal the decision pursuant to WAC 173-27-220; and
- iii. For limited utility extensions and bulkheads, as described in WAC 173-27-120, the notice shall include a further statement regarding the manner in which the public may obtain a copy of the local government decision on the application no later than two days following its issuance.

The minimum notice of application comment period for Shoreline Substantial Development Permits shall be no fewer than 30 days. However, the minimum comment period for applications for Shoreline Substantial Development Permits for limited utility extensions and bulkheads, as described by WAC 173-27-120, shall be 20 days. All comments received on the Notice of Application must be received in the Redmond Development Services Center by 5:00 p.m. on the last day of the comment period. Comments may be mailed, personally delivered, [emailed](#), or sent by facsimile. The Technical Committee's decision on a Type II application shall not be issued prior to the expiration of the minimum comment period.

At the conclusion of an administrative appeal proceeding of any other entitlement permit related to the Shoreline Substantial Development Permit with the City of Redmond, the Administrator shall mail a copy of the Technical Committee report [including associated exhibits such as SEPA documents](#), permit decision, transmittal sheet, and Shoreline Checklist to the applicant, Department of Ecology, and the Washington State Attorney General's Office, pursuant to RCW 90.58.140 and WAC 173-27-130. [Filing with the Department of Ecology and the Attorney General's Office shall use return receipt requested mail.](#) The permit shall state that construction pursuant to



a permit shall not begin or be authorized until 21 days from the date the permit decision was filed, as provided in RCW 90.58.140 (6); or until all review proceedings are terminated if the proceedings were initiated within 21 days from the date of filing, as defined in RCW 90.58.140 (5) and (6). "Date of Filing" is that date that the Department of Ecology received a copy of the decision.

An appeal of a Shoreline Substantial Development Permit shall be to the State Shorelines Hearings Board, ~~and shall be filed within 21 days of the receipt of the City's decision by the Department of Ecology, as set forth in RCW 90.58.180. Consistent with RCW 90.58.140(6), the state's Shorelines Hearing Board twenty-one day appeal period starts with the date of filing, which is defined as the date Ecology receives the City's decision. For Shoreline Substantial Development Permits simultaneously mailed with a Shoreline Conditional Use Permit or Shoreline Variance, the twenty-one day appeal period starts the date that Ecology's decision on the Conditional Use Permit or Variance is transmitted to the applicant and City.~~

- c. Shoreline Conditional Use Permit and Shoreline Variance. Applications for a Shoreline Conditional Use Permit or a Shoreline Variance shall follow the procedures for a Type III review, pursuant to RZC 21.76.050.H. In addition to required content listed above, notice of applications for Shoreline Conditional Use Permits and Variances must also contain the following information:

Statements that:

- i. Any person desiring to submit written comments concerning an application, or desiring to receive notification of the final decision concerning the application as expeditiously as possible after issuance of the decision, may submit the comments or requests for decisions to the City within 30 days of the date the notice is published pursuant to this section.
- ii. After exhausting the administrative appeals process with the City of Redmond, those parties still aggrieved by a decision may appeal the decision, pursuant to WAC 173-27-220.

The Notice of Application shall provide a minimum comment period of 30 days. All comments received on the Notice of Application must be received in the Redmond Development Services Center by 5:00 p.m. on the last day of the comment period. Comments may be mailed, personally delivered, emailed, or sent by facsimile. The Technical Committee's recommendation on a Type III application shall not be issued prior to the expiration of the minimum comment period.

After the conclusion of the appeal period of any other entitlement permit related to the Shoreline Conditional use Permit or Shoreline Variance, or the resolution of a filed appeal, the Administrator shall mail the Notice of Final Decision and the final SEPA threshold determination, if any, to the applicant and to each person who participated in the public hearing or who submitted comments during the public comment period at any time prior to issuance of the decision.

After administrative appeals proceedings for any related entitlement permit have terminated, for a Shoreline Conditional Use Permit and a Shoreline Variance, the Administrator shall, pursuant to RCW 90.58.140 and WAC 173- 27-130, ~~File with~~



~~the department~~, mail a copy of the Technical Committee report and associated exhibits such as SEPA documents, permit decision, transmittal sheet, and Shoreline Checklist to the applicant, Department of Ecology, and the State of Washington's Office of the Attorney General. Filing with the Department of Ecology and Attorney General's Office shall use return receipt requested mail. The permit shall state that construction pursuant to a permit shall not begin or be authorized until 21 days from the date the permit decision was filed, as provided in RCW 90.58.140(6); or until all review proceedings are terminated if the proceedings were initiated within 21 days from the date of filing, as defined in RCW 90.58.140(5) and (6). "Date of Filing" is that date that the Department of Ecology received a copy of the decision.

Appeals of Shoreline Conditional Use Permits or Shoreline Variances shall be to the State Shoreline Hearings Board, ~~and shall be filed within 21 days of the receipt of the City's decision by the Department of Ecology, as set forth in RCW 90.58.180.~~ Consistent with RCW 90.58.140(6), the state's Shorelines Hearings Board twenty-one day appeal period starts with the date of filing which is the date that Ecology's decision is transmitted to the applicant and City.

d. Special Requirements.

- i. For Shoreline Substantial Development Permits, no final action or construction shall be taken until 21 days after notice of the final action taken by the City is filed with the Department of Ecology. Construction and activities authorized by a Shoreline Substantial Development Activity are subject to the time limitations under WAC 173-27-190 - Permits for substantial development, conditional use, or variance and under WAC 173-27-090 – Time requirements of permit apply.
- ii. For Shoreline Conditional Use Permits and Shoreline Variances, no final action or construction shall be taken until all review proceedings initiated within 21 days from the date DOE transmits its decision on the Shoreline Conditional Use Permit or Shoreline Variance. Construction and activities authorized by a Shoreline Conditional Use Permit or Shoreline Variance are subject to the time limitations under WAC 173-27-190 - Permits for substantial development, conditional use, or variance and under WAC 173-27-090 – Time requirements of permit.

7. Decision Criteria. All applications, including exemptions, shall comply with WAC 173-27-140, as amended.

- a. Shoreline Exemptions. Types of developments outlined in RZC 21.68.200.C.3 are exempt from the requirements of a Shoreline Substantial Development Permit but shall comply with the state Shoreline Management Act, the City's Shoreline Master Program, and all other policies, plans, codes, and regulations of the City.

Decisions of Shoreline Exempt Status. Letters of Shoreline Exempt Status, issued under RZC 21.68.200.C.3 for activities or development requiring permits listed under WAC 173-27-050 (1) (a) or (b) shall be mailed to the Department of Ecology. The applicant is responsible for determining and disclosing in the Joint Aquatic Resources Permit Application whether permits listed under WAC 173-27-050 (1) (a) or (b) are required.

- b. Shoreline Substantial Development Permit. Shoreline Substantial Development





Permit applications shall be reviewed pursuant to WAC 173-27-150. Special review criteria are provided in RZC Chapter 21.68, Shoreline Master Program. In addition, all projects must be consistent with Redmond Shoreline Master Program policies.

- c. Shoreline Conditional Use Permit. Uses which are not classified or set forth in the Shoreline Master Program or use regulations may be allowed, provided the applicant can demonstrate that they meet the criteria outlined in WAC 173-27-160.
  - d. Shoreline Variance. Relief may be granted from specific provisions of the Shoreline Master Program or shoreline use regulations, provided the applicant can demonstrate that the variance will meet the criteria outlined in WAC 173-27-170.
8. Modification or Addition to an Approved Project or Decision. Revisions to a Shoreline Substantial Development Permit, Shoreline Conditional Use Permit, or a Shoreline Variance shall be governed by WAC 173-27-100 - Revisions to permits.
9. Termination of Approval. Shoreline Substantial Development Permits, Shoreline Conditional Use Permits, and Shoreline Variances shall be subject to WAC 173-27-090 - Time requirements of permit apply.

10. Developments Not Required to Obtain Shoreline Permits or Local Reviews. Requirements to obtain a Substantial Development Permit, Conditional Use Permit, Variance, Letter of Exemption, or other review to implement the Shoreline Management Act do not apply to the following:

- a. Remedial actions. Pursuant to RCW 90.58.355, any person conducting a remedial action at a facility pursuant to a consent decree, order, or agreed order issued pursuant to Chapter 70.105D RCW, or to the Department of Ecology when it conducts a remedial action under Chapter 70.105D RCW.
- b. Boatyard improvements to meet NPDES permit requirements. Pursuant to RCW 90.58.355, any person installing site improvements for stormwater treatment in an existing boatyard facility to meet requirements of a National Pollutant Discharge Elimination System stormwater general permit.
- c. WSDOT facility maintenance and safety improvements. Washington State Department of Transportation project and activities meeting the conditions of RCW 90.58.356.
- d. Projects consistent with an Environmental Excellence Program Agreement pursuant to TRCW 90.58.045.
- e. Projects authorized through the Energy Facility Site Evaluation Council process, pursuant to Chapter 80.58 RCW.

11. The City may grant relief from Shoreline Master Program development standards and use regulations resulting from shoreline restoration projects consistent with criteria and procedures in WAC 173-27-215.

- D. **Annexation of Shorelines.** The City may adopt shoreline environment predesignations for shorelines located outside of city limits but within the urban growth area. In the event of annexation of a shoreline not predesignated in the Shoreline Master Program, the City shall develop or amend shoreline policies and regulations to include the annexed area. Such policies and regulations for annexed areas shall be consistent with RCW 90.58 and WAC 173-26 and shall be submitted to the Department of Ecology for approval.



Effective on: 4/16/2011