



City of Leavenworth
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Memorandum

Date: April 12, 2021
To: Planning Commission and Public
From: Leavenworth Development Services
Re: Shoreline Master Program Update – Summary of Proposed Amendments

The City of Leavenworth is updating the 2012 Shoreline Master Program, as required by the Washington State Shoreline Management Act (SMA), RCW 90.58.080(4). The review ensures the Shoreline Master Program stays current with changes in laws and rules, remains consistent with other City plans and regulations, and is responsive to changed circumstances, new information and improved data. Additionally, the City will consider ways to streamline the regulations and permit processes.

The Shoreline Master Program is both a comprehensive plan element and a regulating document for the lands within 200' of the ordinary high-water mark or associated floodplain, known as the shoreline jurisdiction. For the City of Leavenworth that covers lands from the Golf Course downstream to the KOA campgrounds. The shoreline jurisdiction is managed by both the City and Department of Ecology. This governing partnership includes an optional joint planning and updating process which is being used for this update.

The purpose of the memorandum is to summarize the proposed amendments which are detailed within the "Department of Ecology Periodic Review Checklist" and "DOE – Additional Amendments Checklist" documents available on the City website: <https://cityofleavenworth.com/city-government/development-services-department/shoreline-master-program-update/>

Generally, the amendments to the 2012 Shoreline Master Program included updates necessary to comply with changes in the State regulations – see Department of Ecology Periodic Review Checklist for each proposed amendment, and Additional Amendments, which include, but are not limited to:

- Removal of references to WAC, RCW and the Old SMP (County document) were removed
- Housekeeping changes included: replacing the "City of Leavenworth" references to "Shoreline Administrator" as appropriate; grammar corrections, updating of text for readability and simplification of text; moved application requirements to Section 7; and, removal of references that did not apply to the City
- Added reference to best available science
- Updated Appendix B, Critical Areas, to match amendments made to the City regulations by Ordinance 1597, approved by the City Council in 2019
- Removed or combined redundant regulations
- Updated Shoreline Use and Modification Matrix (Use/Permit Chart) to reflect definitions, designations and community needs for permitting; including removal of mining and forest practices as a permitted use

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- Removed the requirement for written exemption letters for exempt activities
- Removed several buffer reductions, to better fit the City shoreline conditions; also moved buffer and reduction tables to new location (SMP Section 3.4) to improve flow/use of the SMP
- Prohibited new subdivisions within the channel migration zone
- Required all new development to connect to City sewer – except recreational facilities
- Simplified recreational development requirements
- Simplified shoreline stabilization – new and repair, which includes maintenance; removed requirements for enlargement and replacement which will be reviewed as new
- Removal of Section 5.21, Redevelopment, Repair and Maintenance which is covered within the SMP, including the non-conforming section
- Added “pre-existing residential structures” to the non-conforming section to clarify how these may be maintained/repared, replaced and/or enlarged
- Streamlined other non-conforming regulations
- Updated the duration/expiration of permit timelines for clarity
- Updated definitions, removing terms that were unnecessary and modifying others to improve clarity or consistency with the SMP

The State Shoreline Management Act Guidelines require that the Shoreline Master Program policies and regulations be integrated and coordinated with the comprehensive plan and development regulations of the City. The proposed amendments will create consistency with the existing City (and State) regulations and/or the City policies which have been updated since 2012.