

City of Tenino

149 Hodgen Street South
Tenino, WA 98589

Planning Commission Meeting
Wednesday, July 08, 2020 at 6:00 PM

Agenda

CALL TO ORDER

HOUSEKEEPING

1. Agenda for the July 8, 2020, Regular Meeting of the Tenino Planning Commission

Recommended action: Move to approve the agenda for the July 8, 2020, Regular Meeting of the Tenino Planning Commission as presented.

2. Minutes of the June 10, 2020, Regular Meeting of the Tenino Planning Commission.

Recommended action: Move to approve the minutes of the June 10, 2020, Regular Meeting of the Tenino Planning Commission, as presented.

PUBLIC COMMENT

REPORTS

3. Clerk/Treasurer Millard has provided the (unapproved) minutes of the most recent City Council meetings.

PUBLIC HEARINGS

UNFINISHED BUSINESS

4. Current status of Land Development applications/projects.

NEW BUSINESS

5. Ms. Shereilyn Bentley has made application to fill the open #1 Position on the Tenino Planning Commission. Mayor Fournier has had an opportunity to speak with her and suggested she may like to introduce herself to the Commission with a view toward becoming a member.

6. Ms. Rachel Granrath, SCJ Alliance, will provide an overview of the Shoreline Master Plan Update.

ADJOURN

File Attachments for Item:

2. Minutes of the June 10, 2020, Regular Meeting of the Tenino Planning Commission.

Recommended action: Move to approve the minutes of the June 10, 2020, Regular Meeting of the Tenino Planning Commission, as presented.

**Planning Commission Meeting
Wednesday, June 10, 2020**

Minutes

CALL TO ORDER

Chair Rutherford called the meeting to order at 6:00pm.

PRESENT

Commissioner William Rutherford

Commissioner Erin Konrady

Commissioner Cory Mounts

Commissioner Alex Murray

HOUSEKEEPING

Agenda for the June 10, 2020, Regular Meeting of the Tenino Planning Commission.

Recommended action: Move to approve the agenda for the June 10, 2020, Regular Meeting of the Tenino Planning Commission as presented.

Motion made by Commissioner Mounts, Seconded by Commissioner Murray.

Voting Yea: Commissioner Rutherford, Commissioner Konrady, Commissioner Mounts, Commissioner Murray

Motion Carries 4/0.

2. Minutes of the March 11, 2020, Regular Meeting of the Tenino Planning Commission

Recommended action: Move to approve the Minutes of the March 11, 2020, Regular Meeting of the Tenino Planning Commission, as presented.

Motion made by Commissioner Konrady, Seconded by Commissioner Murray.

Voting Yea: Commissioner Rutherford, Commissioner Konrady, Commissioner Mounts, Commissioner Murray

Motion Carries 4/0.

PUBLIC COMMENT

REPORTS

C/T Millard will present the Mayor's Report covering the period from March 12, 2020, through June 10, 2020

C/T Millard presented the Mayor's Report covering the period from March 12, 2020, through June 10, 2020 Report Attached.

PUBLIC HEARINGS

UNFINISHED BUSINESS

Mayor Fournier has asked the Planning Commission for a recommendation for the best use of the City's vacant lot behind the Tenino "Mini-mall."

Mayor Fournier explained his vision regarding the vacant property to the commission and asked them to think about ideas for the vacant lot behind the Tenino Mini Mall that could be incorporated within a Comprehensive Plan update that he would like to see happen sometime this year.

5. Current status of Land Development applications/projects.

Tabled until next meeting when Planner Dan Penrose is present.

NEW BUSINESS

At Chair Rutherford's request, Mr. Kevin Hansen, Thurston County Hydrogeologist, will present information on the groundwater and geology of the Tenino area in order to further the Commission's understanding of the Planning Issues within the City's Urban Growth Area.

Mr. Kevin Hansen gave a presentation on groundwater and geology in the Tenino and surrounding areas, discussing such things as water rights and how those are administered in the State of Washington, ideas for returning water to the City's aquifer, and the impact of projected growth on the City's established water rights.

ADJOURN

Chair Rutherford adjourned the meeting at 8:00pm.

File Attachments for Item:

3. Clerk/Treasurer Millard has provided the (unapproved) minutes of the most recent City Council meetings.

City Council Meeting
Tuesday, June 23, 2020

Minutes

WORK SESSION

Mayor Fournier called the work session to order at 7:00 pm

PRESENT

Councilmember Linda Gotovac
Councilmember Dave Watterson
Councilmember John O'Callahan
Councilmember Jason Lawton
Councilmember Rachel Davidson

1. Retail Lockbox has proposed an amendment to our agreement under which all costs for the acceptance of credit/debit cards for the payment of utility accounts will be borne by Retail Lockbox

C/T Millard explained that Retail Lockbox has proposed a change to our existing agreement in order to amend the fee model to eliminate any costs to the City.

2. The Administration proposes the formation of a working group for the purpose of conducting an in-progress review of the City's COVID-19 Relief Grant Program.

Of concern is whether the program is meeting the needs of the community and, if not, what can be done to improve on that aspect. Another concern is the valuation of our scrip and whether the final disposition as written should be changed to include alternate disposition instructions to accommodate changing financial conditions.

The proposal includes the suggestion that the working group be composed of members of the City Government, the Tenino Chamber of Commerce, the Thurston Economic Development Council, Experience Olympia and Beyond, and the public.

Mayor Fournier explained his reasons for wanting to form a working group and outlined his concept for the composition and operation of the working group.

3. The Administration would like to engage the City Council on the current status and focus of the Tenino Planning Commission with a view toward opening a change window to update the City's Comprehensive Plan.

Up until very recently, the Tenino Planning Commission has been focused on educating the Commissioners about the Growth Management Act and related specialty topics to better prepare the Commission for deliberations centered around such a proposed change to the City's Comprehensive Plan.

The Administration has had conversations with the Chairman of the Commission, as well as with the contracted planner from SCJ Alliance, to begin considering a number of identified concerns with the current plan; the incorporation of possible zoning changes; possible changes to either the UGA, the City Limits, or both; and the addition of both an Economic Development Chapter and the incorporation of the ARCH Commission/Creative District.

Mayor Fournier explained why the City is considering opening a Comp Plan Change Window and asked for Council input regarding what issues, if any, the Council or any Councilmember would like the Planning Commission to consider when the window is opened.

4. Director Cannon has prepared his recommendations for this year's update to the Six-Year Street Plan.

Since Public Works Director Cannon was not in attendance, this item was skipped.

5. The Administration has been working a renewal of the Comcast Franchise Agreement for several months and have finally reached the point where the agreement is ready for adoption by ordinance.

The Risk Management Service Agency and City Attorney have been intimately involved with the negotiations and both are satisfied that the agreement not only meets all legal, insurance, and indemnity requirements, but is also in the best interests of the City.

C/T Millard explained why the City has negotiated a new Franchise Agreement with Comcast in order to provide the City Council a more complete understanding of the agreement prior to asking the Council to adopt Ordinance 913.

6. The state Liquor & Cannabis Board (LCB) recently change its rules regarding the serving of alcohol outdoors. The City has had several requests from Tenino merchants urging the City to amend our Municipal Code to allow for the designation of certain outdoor areas as areas where alcohol may be served.

In light of the number of merchants in our business community who, not only serve, but manufacture beer, wine, and spirits, the Administration recommends amending our Municipal Code to allow for the designation of outdoor areas where alcohol may be served, provided that the appropriate LCB rules are observed.

Mayor Fournier described the changes made by the LCB and put forth his reasons for considering a change to the Tenino Municipal Code to allow implementation of the new LCB rules within the City. The new rules allow for the designation of an outdoor service area where merchants can serve alcoholic beverages.

CALL TO ORDER

Mayor Fournier called the meeting to order at 7:30 pm

PRESENT

Councilmember Linda Gotovac
Councilmember Dave Watterson

Councilmember John O'Callahan
 Councilmember Jason Lawton
 Councilmember Rachel Davidson

AGENDA APPROVAL

Agenda for the June 23, 2020, Regular Meeting of the Tenino City Council.

Recommended action: Move to approve the agenda as presented.

Motion made by Councilmember O'Callahan, Seconded by Councilmember Lawton to approve the agenda as presented.

Voting Yea: Councilmember Gotovac, Councilmember Watterson, Councilmember O'Callahan, Councilmember Lawton, Councilmember Davidson.

Motion passes 5/0.

APPROVAL OF MINUTES

8. Minutes of the June 9, 2020 Regular Meeting of the Tenino City Council

Recommended Action: Move to approve the minutes of the June 9, 2020 Regular Meeting of the Tenino City Council as presented.

Motion made by Councilmember O'Callahan, Seconded by Councilmember Lawton to approve the minutes of the June 9, 2020 meeting.

Voting Yea: Councilmember Gotovac, Councilmember Watterson, Councilmember O'Callahan, Councilmember Lawton, Councilmember Davidson.

Motion passes 5/0.

CONSENT CALENDAR

9. Payroll EFT's in the amount of \$28,897.38 and Claims Checks #29169 through #29XXX in the amount of \$70,493.11 for a Grand Total of \$99,309.49 (Claims Checks #29170, #29174, and #29194 were voided because those payments were made by EFT)

Motion made by Councilmember O'Callahan, Seconded by Councilmember Gotovac to approve the consent calendar consisting of payroll EFT's in the amount of \$28,897.38 and Claims Checks #29169 through #29196 in the amount of \$70,493.11 for a Grand Total of \$99,309.49 (Claims Checks #29170, #29174, and #29194 were voided because those payments were made by EFT)

Voting Yea: Councilmember Gotovac, Councilmember Watterson, Councilmember O'Callahan, Councilmember Lawton, Councilmember Davidson.

Motion passes 5/0.

10. Business Licenses:

New Licenses: None

Renewals: Scotty B's

Recommended action: Move to approve the LCB applications as presented.

Motion made by Councilmember O'Callahan, Seconded by Councilmember Gotovac to approve the LCB renewal for Scotty B's.

Voting Yea: Councilmember Gotovac, Councilmember Watterson, Councilmember O'Callahan, Councilmember Lawton, Councilmember Davidson.

Motion passes 5/0.

EXECUTIVE SESSION - None

PRESENTATIONS - None

PUBLIC COMMENTS

Linda McKinnie reported the Timberland Library will be open on Tuesdays and Saturdays from 1 pm to 5 pm for the public to come and get books.

PUBLIC HEARING

11. Director Cannon has prepared his recommendations for this year's update to the Six-Year Street Plan.

Mayor Fournier opened the public hearing for the Six-Year Street Plan at 7:37 pm. Clerk Treasurer Millard went over the plan with council and public. Hearing no comments from the public or council members the hearing was closed at 7:39 pm.

PROCLAMATIONS - None

OLD BUSINESS - None

NEW BUSINESS

12. Director Cannon has prepared his recommendations for this year's update to the Six-Year Street Plan.

Motion made by Councilmember Gotovac, Seconded by Councilmember O'Callahan to approve the Six-Year Street Plan as presented.

Voting Yea: Councilmember Gotovac, Councilmember Watterson, Councilmember O'Callahan, Councilmember Lawton, Councilmember Davidson.

Motion passes 5/0.

13. The Administration has been working a renewal of the Comcast Franchise Agreement for several months and have finally reached the point where the agreement is ready for adoption by ordinance.

The Risk Management Service Agency and City Attorney have been intimately involved with the negotiations and both are satisfied that the agreement not only meets all legal, insurance, and indemnity requirements, but is also in the best interests of the City.

Motion made by Councilmember Watterson, Seconded by Councilmember Lawton to approve the Comcast Franchise Agreement as presented.

Voting Yea: Councilmember Gotovac, Councilmember Watterson, Councilmember O'Callahan, Councilmember Lawton, Councilmember Davidson.

Motion passes 5/0.

RESOLUTIONS - None

ORDINANCES - None

REPORTS

14. 1) Chamber of Commerce
 - 2) Economic Development Council (EDC): Mayor Fournier reported on the ground breaking ceremony for the new Ag Park.
 - 3) Experience Olympia & Beyond (VCB)
 - 4) Fire District
 - 5) Library
 - 6) Museum
15. 1) ARCH Commission: Councilmember Gotovac reported they will be cleaning the area between The Vault and Scattercreek Winery on Saturday in order to display the Creative District information.
 - 2) Civil Service Commission
 - 3) Planning Commission: Mayor Fournier and C/T Millard reported they met on 6/10/2020 and had a presentation from Mr. Kevin Hansen, Thurston County Hydrogeologist, on the groundwater and geology of the Tenino area in order to further the Commission's understanding of the Planning Issues within the City's Urban Growth Area.
 - 4) Facade Improvement Grant Review Committee
 - 5) Finance Committee
 - 6) Public Safety Committee
16. 1) Chief of Police: Mayor Fournier reported the temporary contract with Chief Stines is almost up. The City will need to have Chief Swain complete an IME before being able to return to work. There has been some civil unrest, angst as well as increased anxiety with the on going issues of the protests. Public safety is the number one priority.

- 2) Director of Public Works
 - 3) City Planner / Building Official
 - 4) City Attorney
 - 5) Clerk/Treasurer: C/T Millard reported he met with the PW Director Cannon and Mike Marshall our engineer at the WWTP mapping out the septage receiving area. Director Cannon will provide a rough diagram in order for the Engineer to draft a site plan of sorts. The engineer will come down and meet with the Mayor, Director, and C/T regarding plans in the City and what can be done.
 - 6) Mayor
17. 1) Bucoda/Tenino Healthy Action Team (BTHAT)
- 2) Community Investment Partnership (CIP)
 - 3) Solid Waste Advisory Board
 - 4) TCOMM/911
 - 5) Tenino School Board: Mayor Fournier and Councilmember Davidson discussed the recent graduation day activities for the High School and how important the School Resource Officer contract is to the ability of the City to support those types of events.
 - 6) Thurston Regional Planning Council (TRPC)
 - 7) South Thurston Economic Development Initiative (STEDI)
 - 8) Transportation Policy Board

PUBLIC COMMENTS 2

ANNOUNCEMENTS

ADJOURNMENT

Mayor Fournier adjourned the meeting at 8:18 pm.

4.

File Attachments for Item:

4. Current status of Land Development applications/projects.

PROJECT STATUS UPDATE

	PROJECT NAME/DESCRIPTION	STAFF CONTACT	STATUS	TARGET / UPDATES / NEXT STEPS
SW WA AGRICULTURAL AND INNOVATION PARK				
1	Infrastructure Extension	John	75% complete	Installation of Service Lines
2	Construction of 1st Building	Dan	On Hold	Site Prep
3	Obtaining Tenants	EDC	Ongoing	
LDR AMENDMENTS				
1	Review TMC for Possible Amendments	Dan		
COMPREHENSIVE PLAN AMENDMENTS / ANNEXATIONS				
1	Zoning Change for Peterson Property	Dan		From Commercial to Multi-Family Residential
2	Zoning Change for Properties along Railroad	Dan		From Residential to Commercial or Industrial
3	Expanding UGB to encompass Miles S&G holdings	Dan		
4	Other changes to City Limits or UGB	Dan		
5	Incorporate Creative District	George Sharp		
6	Incorporate Economic Development Chapter	George Sharp		
SPECIAL STUDIES				
1	Shoreline Master Program Update	Dan		Amend SCJ SOW
2	Development of Habitat Conservation Plan (HCP)	John		Obtain Grant from USFW
ECONOMIC DEVELOPMENT				
1	Develop Comp Plan Economic Development Chapter	George Sharp		
2	Develop Creative District "Master Plan"	George Sharp		
CURRENT PLANNING, DEVELOPMENT, REVIEW				
1	Hidden Meadow	Dan	Construction Underway	14/30 building permits issued
2	Johnson Short Plat	Dan		Recorded
3	My Rock Pile, LLC BLA	Dan		Recorded
4	Card Lock Facility	Dan	Plan Review	

6.

File Attachments for Item:

6. Ms. Rachel Granrath, SCJ Alliance, will provide an overview of the Shoreline Master Plan Update.



A Short Course On Local Planning Resource Guide

Version 5.3 (2017)



Planning Association
of Washington



American Planning Association
Washington Chapter



Chapter 7. Shoreline Management Act (SMA)

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Chapter 7.

Shoreline Management Act (SMA)

A. Overview

Public concern in the early 1970's focused on the future of Washington's shorelines in the face of increasing development. The Legislature responded with passage of the Shoreline Management Act (SMA)¹ in 1971, finding "a clear and urgent demand for a planned, rational, and concerted effort, jointly performed by federal, state, and local governments, to prevent the inherent harm in an uncoordinated and piecemeal development of the State's shorelines." Intended to protect and restore the valuable natural resources of the shoreline, the SMA fosters all "reasonable and appropriate uses."²

The SMA applies to over 230 cities and counties having "**shorelines of the state**"³ within their jurisdictional boundaries. "Shorelines of the state" comprise "shorelines" and "shorelines of statewide significance."⁴ These include all waters of the state (including marine waters) and their underlying lands, except streams with a mean annual flow of less than 20 cubic feet per second and lakes less than 20 acres in area,⁵ together with their "shorelands"⁶ which are those areas landward for 200 feet from the ordinary high water mark (OHWM), floodways, and contiguous floodplains within 200 feet, and all associated wetlands.

"**Shorelines of statewide significance**" (SSWS) are specifically designated shorelines⁷ that are major resources benefiting all people in the state. In their management of SSWS, local governments and the state are required to provide for "optimum implementation"⁸ of the policies of the SMA, giving preference (in order) to shoreline uses which recognize and protect statewide interests over local, preserve the natural character of the shoreline, result in long term over short term benefit, protect the resources and ecology of the shoreline, and increase public access and recreational opportunities for the public in the shoreline.⁹

The term "wetlands," as used in the SMA, has a specific meaning. It includes:

areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

¹ Chapter 90.58 RCW.

² Nisqually Delta Ass'n v. DuPont, 103 Wn.2d 720, 726, 696 P.2d 1222 (1985) ("The SMA does not prohibit development of the State's shorelines, but calls instead for "coordinated planning ... recognizing and protecting private property rights consistent with the public interest.").

³ See RCW 90.58.030(2).

⁴ RCW 90.58.030(2)(c).

⁵ RCW 90.58.030(2)(d).

⁶ RCW 90.58.030(2)(f).

⁷ RCW 90.58.030(2)(e).

⁸ RCW 90.58.090(4).

⁹ A county ordinance banning motorized personal watercraft use on all marine waters and one lake in the County is consistent with SMA because (1) SMA allows "limited reduction of rights;" and, (2) the ordinance favors "the resources and ecology of the shoreline" over recreational interests as required by RCW 90.58.020. *Weden v. San Juan County*, 135 Wn.2d 678, 696-97- 958 P.2d 273 (1998).

Wetlands generally include swamps, marshes, bogs, and similar areas...Wetlands may include those artificial wetlands intentionally created from non-wetland areas to mitigate the conversion of wetlands.¹⁰

The language “swamps, marshes, bogs, and similar areas” refers to true biological wetlands, considered a subcategory of the much broader SMA term “wetlands.”

To determine the extent of an upland area covered by the SMA (shoreline jurisdiction), the OHWM often needs to be located. The Department of Ecology (DOE) has developed guidelines for making OHWM determinations in different situations, and offers field assistance in identifying the mark. Specific criteria are to be used in determining shoreline jurisdiction,¹¹ and will prevail over any other lists, maps, or inventories.

The SMA has three basic policy areas: 1) shoreline preferred uses, 2) environmental protection, and 3) public trust. The SMA places emphasis on providing a shoreline location for a defined set of shoreline preferred (i.e. water dependent) uses; on accommodating reasonable and appropriate uses; protecting shoreline ecology and natural resources; and, preserving the public’s right of access to and use of the shorelines.¹²

A fourth policy element of the SMA, though not explicitly stated, is public involvement. The SMA specifically requires public notice and opportunities to comment on state and local actions under the Act.¹³

The SMA incorporates a planning and regulatory permit program to carry out its policies.¹⁴ This program is initiated locally under state guidance.

In the first 25 years of its existence the SMA stood largely independent of other local planning and regulatory systems. In 1995, the passage of ESHB 1724 changed that, initiating the merger of shorelands and growth management planning and regulatory functions. ESHB 1724 for example, added a new fourteenth goal to the GMA.¹⁵ The goals and policies of the SMA are now added to the existing 13 goals of the GMA.

The integration of the SMA and GMA involves melding of the GMA’s emphasis on planning procedures with the SMA’s specific policy mandates. While the GMA-based comprehensive plan is founded on a local communities’ values and objectives, the SMA requires that local governments in managing shorelines address specific statewide goals, balancing statewide and local interests.

¹⁰ RCW 90.58.030(2)(h).

¹¹ RCW 90.58.030 and Chapter 173-22 WAC (wetland designations).

¹² RCW 90.58.020.

¹³ See, e.g., RCW 90.58.120; RCW 90.58.130; RCW 90.58.140.

¹⁴ RCW 90.58.140.

¹⁵ RCW 36.70A.480(1).

In 2003 the Department of Ecology adopted a new rule that provides a comprehensive update to state guidelines on how local governments manage shorelines.¹⁶ One of the chief goals of the new rule is to bring state guidelines up-to-date with current science. The proposed rule is also intended to make it easier for local governments to integrate shoreline plans with local Growth Management plans and regulations. Finally, the rule seeks to find a workable balance of responsibility between state and local governments by setting performance criteria that local governments should achieve and then allowing local governments to decide how to meet those goals.

B. Shoreline Master Programs

As part of the state/local partnership which is the basis of the SMA, local governments must prepare a detailed shoreline inventory¹⁷ and a shoreline master program¹⁸ (SMP) for managing shoreline resources and development. Local SMPs must be prepared consistent with the policy of the SMA (RCW 90.58.020) and the applicable guidelines.¹⁹ Based on this inventory, a system of categorizing various shore- line segments is created by applying shoreline environment designations. Goals, policy statements, and regulations are developed to establish appropriate uses and activities within each shoreline environment designation.

For local governments fully planning under the GMA, **SMP goals and policies are now considered an element of the local comprehensive plan. SMP use regulations are now considered a part of the local development regulations** required by growth management.²⁰

The GMA requires that all local comprehensive plan policies be “internally consistent”,²¹ which now include those policies contained in the local SMP. This also means that shoreline environment designations de- scribed and mapped in the local master program must be compatible with local comprehensive plan land use designations. Comprehensive plan land use designations should be reviewed to ensure they do not preclude reasonable and preferred (water-dependent) shoreline development and that allowed uses and densities are mutually compatible.

Local governments are responsible for maintaining and implementing local SMPs. The procedure for adopting or amending an SMP involves both a local and state review and approval process. Both processes emphasize public participation. Ecology is the lead agency in coordinating such actions, with 60-day notification required to Department of Commerce and other state agencies. A master program or amendment takes effect only when and in such form as it is ultimately approved by Ecology.²²

¹⁶ WAC 173-26, Part III.

¹⁷ Most local governments conducted inventories of their shorelines in the mid-1970’s, when they adopted their first master programs. Most of those inventories have never been updated.

¹⁸ SMA provides that where appropriate, a master plan shall include an historic or cultural element for the protection and restoration of sites and areas having historic or cultural value. RCW 90.58.100(2)(g); *Swinomish Indian Tribal Community v. Island County*, 87 Wn.2d 552, 563 fn5, 942 P.2d 1034 (1997).

¹⁹ RCW 90.58.080.

²⁰ RCW 36.70A.480(1).

²¹ RCW 36.70A.070.

²² RCW 90.58.090(6)

A new option available to jurisdictions fully planning under the GMA involves “pre-designating” shorelines within adopted urban growth areas but outside existing city boundaries. Environment pre-designation is allowed after the local government secures public input and completes the SMP amendment process, obtaining Ecology approval. Such pre-designations then take effect concurrent with annexation of the subject area.²³

Recent changes to the SMA now allow any interested citizen to appeal a locally prepared SMP either on the basis of inconsistency with SMA policy or the local comprehensive plan. For jurisdictions fully planning under the GMA, master program appeals will be decided by the growth management hearings board with jurisdiction, no longer the shorelines hearings board. For jurisdictions not fully planning under the GMA, master programs will continue to be appealed to the state shorelines hearings board.

C. Permits and Decisions

All “developments” and uses within the shorelines of the state must be consistent with SMA policies and local SMP requirements.²⁴ However, only “substantial developments” require a substantial development permit.²⁵ Although a proposed development may be exempt from substantial development permit requirements, it may still require a variance or conditional use permit and must comply with the local SMP.²⁶

1. Substantial Development Permits

All developments with a fair market value in excess of \$5,000²⁷ (unless specifically exempted), or any development that materially interferes with normal public use of the water or shorelines of the state, requires a substantial development permit.²⁸

2. Exemptions

Under the SMA, certain types of developments are exempt from substantial development permit requirements.²⁹ The exemption, however, is only from the permit requirement; an exempt development must still comply with all development standards, i.e., setbacks and other regulations. Many jurisdictions require a written exemption prior to construction. The local government can then assess whether the project proposal is consistent with SMA policy and the local SMP.

3. Conditional Use Permits

The SMA allows local governments to authorize uses and developments that may be permitted (under special circumstances or conditions) by conditional use permits. Conditional use permits allow greater flexibility to vary how SMP use regulations are applied. Granting of a conditional use permit must

²³ WAC 173-26-150.

²⁴ RCW 90.58.140(1).

²⁵ RCW 90.58.140(2).

²⁶ WAC 173-27-040.

²⁷ The exemption from substantial development status for recreational docks in fresh water was expanded to \$10,000. See RCW 90.58.030(3)(e)(vii).

²⁸ RCW 90.58.030(e).

²⁹ RCW 90.58.030(3)(e)(vii); WAC 173-27-040.

conform with SMA policies and cannot authorize a use that the local SMP specifically prohibits. Criteria for SMA conditional uses have been established.³⁰

4. Variances

The SMA also authorizes deviation from specific bulk, dimensional, or performance standards in the SMP through the granting of shoreline variances. Variances can only be granted when there are “extraordinary or unique circumstances relating to the property such that the strict implementation of the master program will impose unnecessary hardships on the applicant or thwart the policies of the SMA...”³¹ A variance cannot be granted for a use prohibited by the SMA or SMP; and the cumulative effects over time of granting additional permits for like actions in a given shoreline area must be considered. Criteria for SMA variances have been established.³²

Shoreline substantial development permits, as well as conditional use permits and variances, are processed by local governments. All permit applications are sent to Ecology for review, following the local government’s decision. For conditional use permits and variances, Ecology must either approve, approve with conditions, or disapprove each permit.³³ Permit decisions can be appealed at the local level, and subsequently before the Shorelines Hearings Board and/or Superior Court.³⁴

5. Appeals

A local government or Ecology decision on a shoreline permit may be appealed to the shorelines hearings board by any person aggrieved by the granting, denying or rescinding of a shoreline permit. This does not include decisions by local government to approve a permit exemption.

The shorelines hearings board conducts a “de novo” review of the permit and may uphold, reverse or modify the permit decision or remand the permit for further consideration at the local level.

³⁰ WAC 173-27-160.

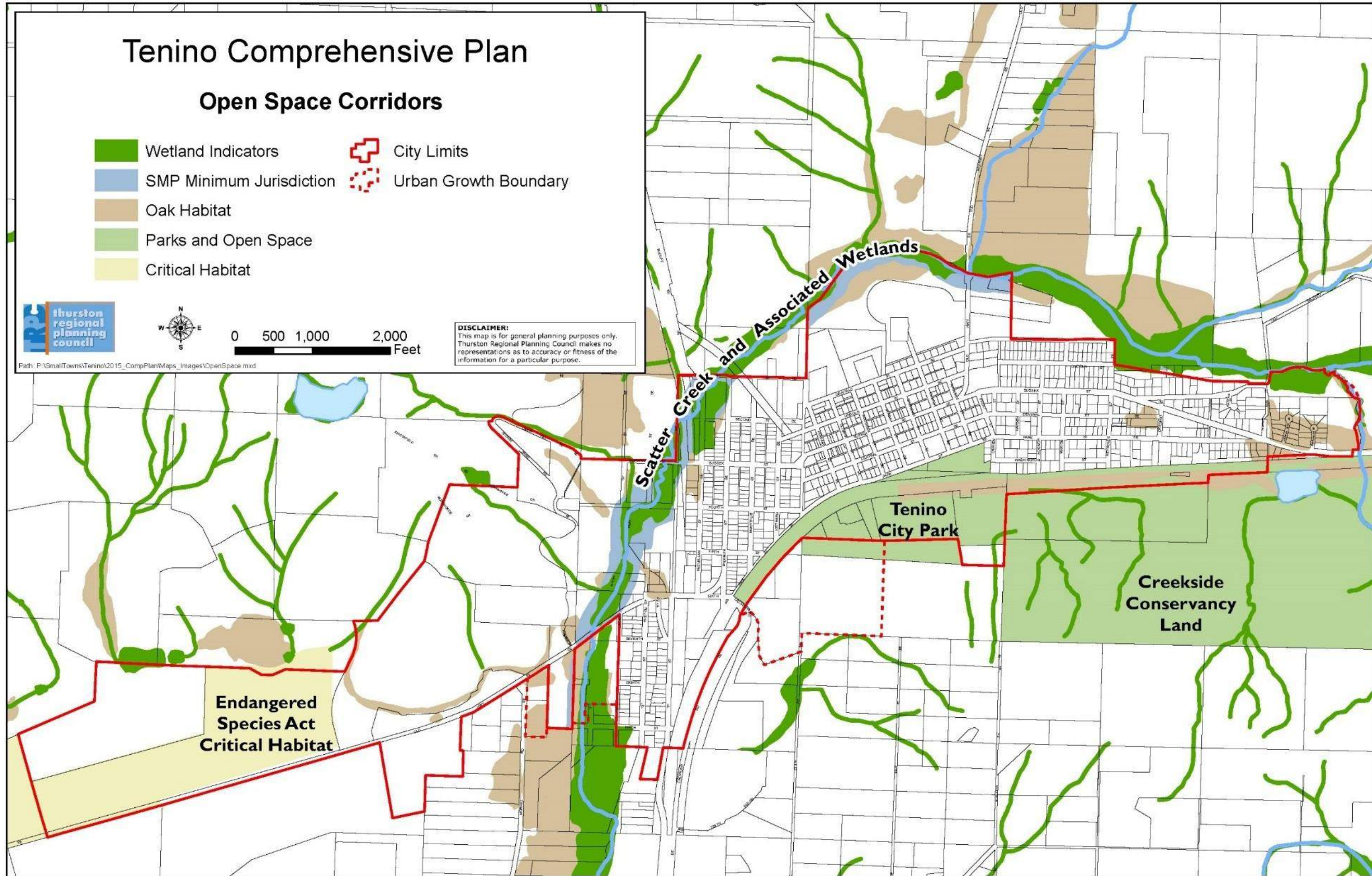
³¹ See, e.g., *Buechel v. State Department of Ecology*, 125 Wn.2d 196, 884 P.2d 910 (1994).

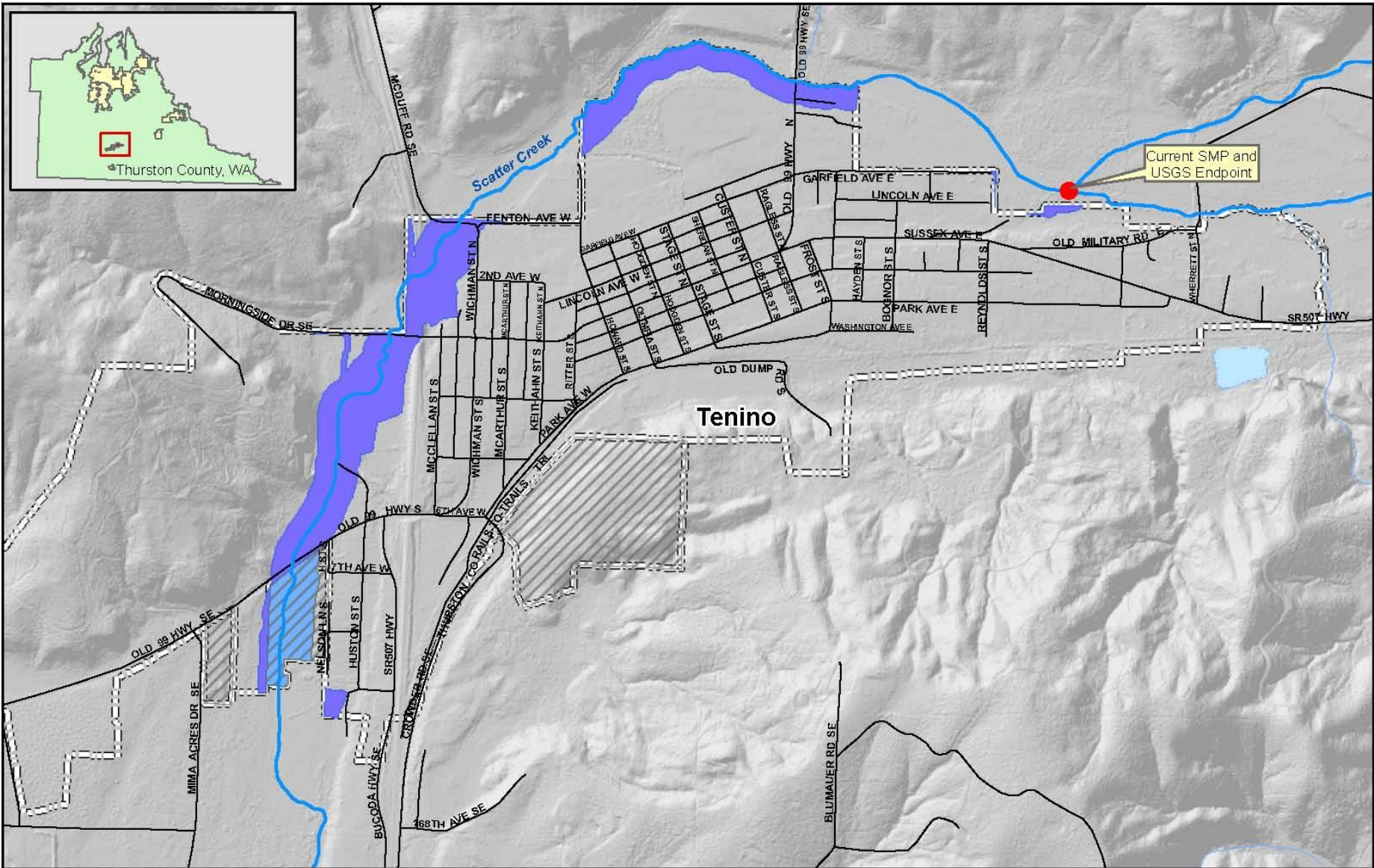
³² WAC 173-27-170.

³³ RCW 90.58.140(12).

³⁴ See *Overlake Fund v. Shoreline Hearings Bd.*, 90 Wn. App. 746, 954 P.2d 304 (1998) (the court overturned a superior court decision finding that the Shorelines Hearing Board acted in an arbitrary and capricious manner when it imposed conditions on a shoreline substantial development permit that were not supported by substantial evidence).

Map NR-5: Open Space Corridors





Tenino Shoreline Environment Designations



- Urban Conservancy
- Urban Conservancy within UGB
- City Limits
- Urban Growth Boundary
- Endpoints



DISCLAIMER:
 This map is for general planning purposes only. Thurston Regional Planning Council makes no representations as to accuracy or fitness of the information for a particular purpose.

Printing Date: Wednesday, December 01, 2010
 P:\Regional\SouthCounty_SMP\Maps_Images\TeninoMap1.mxd

6.0 General Policies and Regulations

The following general policies and regulations apply to all shorelines of the state that are located in Tenino, regardless of the specific shoreline environment designation.

- General policies and regulations are not listed in order of priority.

6.1 Environment Impact Mitigation

A. Policies

1. All shoreline use and developments should be carried out in a manner that avoids and minimizes adverse impacts so that the resulting ecological condition does not become worse than the current condition. This means assuring no net loss of ecological functions and processes and protecting critical areas identified in Section 6.2 that are located in the shoreline. Should a proposed use and development potentially create significant adverse environmental impacts not otherwise avoided or mitigated by compliance with this Program, the Administrator should require mitigation measures to ensure no net loss of shoreline ecological functions.

B. Regulations

1. To the extent Washington's State Environmental Policy Act of 1971 (SEPA) RCW 43.21C, is applicable, the analysis of environmental impacts from proposed shoreline uses or developments shall be conducted consistent with the rules implementing SEPA (TMC Title 18C and WAC 197-11).
2. Where required, mitigation measures shall be applied in the following sequence of steps listed in order of priority.
 - a. Avoiding the adverse impact altogether by not taking a certain action or parts of an action;
 - b. Minimizing impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology or by taking affirmative steps to avoid or reduce impacts;
 - c. Rectifying the impact by repairing, rehabilitating or restoring the affected environment;
 - d. Reducing or eliminating the impact over time by preservation and maintenance operations;
 - e. Compensating for the adverse impact by replacing, enhancing, or providing substitute resources or environments;
 - f. Monitoring the impact and the compensation projects and taking appropriate corrective measures.
3. In determining appropriate mitigation measures applicable to shoreline development, lower priority measures shall be applied only where higher priority measures are determined to be infeasible or inapplicable.
4. Required mitigation shall not be in excess of necessary to assure that proposed uses or development will result in no net loss of shoreline ecological functions.
5. Mitigation actions shall not have a significant adverse impact on other shoreline functions fostered by the policies of the Shoreline Management Act.

6. When compensatory measures are appropriate pursuant to the priority of mitigation sequencing above, preferential consideration shall be given to measures that replace the impacted functions directly and in the immediate vicinity of the impact. However, alternative compensatory mitigation within the watershed that addresses limiting factors or identified critical needs for shoreline resource conservation based on watershed or comprehensive resource management plans applicable to the area of impact may be authorized. Authorization of compensatory mitigation measures may require appropriate safeguards, terms or conditions as necessary to ensure no net loss of ecological functions.

6.2 Critical Areas and Shoreline Vegetation Conservation

A. Policies

1. Adopt regulations to assure that development within the shoreline jurisdiction results in no net loss of ecological functions necessary to sustain the natural shoreline.
2. Provide a level of protection to critical areas within the shoreline that is equal to that which is provided by the City's critical areas regulations adopted pursuant to the Growth Management Act and the City's Comprehensive Plan. If conflicts between the SMP and the critical area regulations arise, the regulations that are most consistent with the SMA or its WAC provisions will govern.
3. Allow activities in critical areas that protect and, where possible, restore the ecological functions and ecosystem-wide processes of the City's shoreline.
4. Preserve, protect, restore and/or mitigate wetlands and habitat protection areas within and associated with the City's shorelines to achieve no net loss of wetland and habitat protection areas and their functions.
5. Developments in shoreline areas that are identified as geologically hazardous should be avoided.
6. Limit the removal of vegetation along the shoreline to the minimum necessary to accommodate the approved shoreline development.
7. Prefer native vegetation along the shoreline over a site cleared of vegetation to create views and lawns.
8. Allow limited selective clearing of native shoreline vegetation for views and lawns provided that slope stability and ecological functions are not compromised.
9. Preserve existing native vegetation along the shoreline and require planting when it does not exist.
10. Provide flexibility when balancing overlapping shoreline policies regarding vegetation conservation, a preference for water-oriented uses, and requirements to provide public access.

B. Regulations

1. All shoreline uses and activities shall be located, designed, constructed and managed to protect and/ or enhance the ecological functions and ecosystem-wide processes provided by critical areas including, but not limited to: wetlands, fish and wildlife habitats, geologically hazardous areas and frequently flooded areas as defined and designated by Titles 16 (environment) and 18 (zoning) of the Tenino Municipal Code.
2. The following regulations of the Tenino Municipal Code (TMC) pertaining to the protection of critical areas shall be adopted as a part of this Program.
 - a. Chapter 18D.10 *General Provisions* (last amended by Ordinance No. 731 on February 13, 2007);

- b. Chapter 18D.20 *Use and Activity Regulations* (last amended by Ordinance No. 731 on February 13, 2007);
 - c. Chapter 18D.30 *Wetlands* (last amended by Ordinance No. 731 on February 13, 2007);
 - d. Chapter 18D.40 *Critical Fish and Wildlife Habitat Areas* (last amended by Ordinance No. 731 on February 13, 2007);
 - e. Chapter 18D.70 *Flood Hazard Areas* (last amended by Ordinance No. 731 on February 13, 2007); and
 - f. Chapter 18D.80 *Landslide Hazard Areas* (last amended by Ordinance No. 731 on February 13, 2007).
3. Exceptions to the applicability of the critical areas regulations in shoreline jurisdiction are listed below.
- a. TMC 18D.10.060 B “Definitions”: Within the Tenino Critical Areas Ordinance, the definition of “Director” and “Department” shall refer to the Director or Designee of the City of Tenino Community Development Department (TMC 18.20.070).
 - b. TMC 18D.10.085 “Variance to Critical Areas”: Within the shoreline jurisdiction any variances to the provisions of the critical area ordinance or to TMC 18.50.080 must be processed as a shoreline variance.
 - c. TMC 18D.10.090 “Reconsideration and Appeal Procedures”: Within the shoreline jurisdiction any appeals of an administrative or planning commission decision pursuant to TMC 18.40.090 or TMC 18.40.100 shall be appealed to the State Shorelines Hearings Board pursuant to WAC 173-27-290 and the provisions of RCW 34.05.
 - d. BMC 18D.10.135 “Enforcement – Violations- Civil Infractions. J Modifications”: Within the shoreline jurisdiction, any modifications to a permit shall be subject to the provisions of WAC 173-27-100.
 - e. TMC 18D.20.020 I “Regulated Uses and Activities” (*Wetlands less than 1,000 sf ...*): Within shoreline jurisdiction this section shall be null and void.
 - f. TMC 18D.20.030 E “Exemptions”: Within the shoreline jurisdiction any expansion of the building footprint greater than twenty five percent (25%) will require a shoreline variance.
 - g. TMC 18D.20.050 “Reasonable Use Exceptions”: Within the shoreline jurisdiction a shoreline variance will serve as a reasonable use exception review.
 - h. TMC 18D.30.20 A.2 “Wetland Areas” - “General”: “Within the shoreline jurisdiction identification of wetlands and delineation of their boundaries shall be done in accordance with the approved federal wetland delineation manual and applicable regional supplements.
 - i. TMC 18D.30.040 A6 “Wetland Standards”: Within the shoreline jurisdiction any reduction greater than twenty five percent (25%) of the standard critical area buffer width will require a shoreline variance.
 - j. TMC 18D.30.060 B “Buffer Requirements” - “Modification of Buffer Widths”: Within the shoreline jurisdiction any reduction greater than twenty five percent (25%) of the standard critical area buffer width will require a shoreline variance.
 - k. TMC 18D.30.070 “Appendices” – “APPENDIX E Compensatory Mitigation Plan for Regulated Activities in Wetlands–Detailed Phase” – “III. Mitigation Performance Standards”: Within the shoreline jurisdiction any reduction to the wetland replacement ratio will require a shoreline variance.

4. Any provision of the critical areas regulations that is not consistent with the Shoreline Management Act Chapter, 90.85 RCW, and supporting Washington Administrative Code chapters shall not apply in shoreline jurisdiction.
5. The provisions of the City's critical areas regulations do not extend shoreline jurisdiction beyond the limits specified in this Program.
6. Required critical area buffers consist of an undisturbed area of native vegetation or areas identified for restoration. Existing native vegetation shall be preserved to the maximum extent feasible within the vegetation conservation area consistent with safe construction practices, and other provisions of this section.
7. Native trees and shrubs shall be preserved to maintain and provide shoreline ecological functions such as habitat, shade and slope stabilization.
8. Within critical area buffers no more than fifteen percent (15%) of the area with native shoreline vegetation shall be cleared. All native trees in the vegetation conservation area over four (4) inches in diameter at breast height shall be retained. Trees determined by the City to be hazardous or diseased may be removed.
9. The Administrator may allow removal of vegetation exceeding that described above where an applicant agrees to replacement plantings that are demonstrated to provide greater benefit to shoreline ecological functions than would be provided by strict application of this section.
10. Critical area buffer regulations shall not apply to the removal of aquatic weeds and fresh water algae undertaken pursuant to WAC 173-201A.
11. In the absence of a development proposal, existing, lawfully established landscaping and gardens within a vegetation conservation buffer may be maintained in its existing condition including but not limited to, mowing lawns, weeding, removal of noxious and invasive species, harvesting and replanting of garden crops, pruning and replacement planting of ornamental vegetation or indigenous native species to maintain the condition and appearance of such areas as they existed prior to adoption of this code, provided this does not apply to areas previously established as mitigation sites, or other areas protected via conservation easements or similar restrictive covenants.
12. Alterations to critical areas and/or their buffers may be allowed without a shoreline variance permit to accommodate allowed uses listed below, provided the uses are constructed and maintained in a manner that minimizes adverse impacts on shoreline ecological functions and comply with the Program and all applicable regulations for critical areas as modified by 6.2.B.3.
 - a. Uses and activities allowed in the City's critical areas regulations when also allowed in the applicable shoreline environment;
 - b. Public trails and shared use paths when located on abandoned railroad corridors;
 - c. Pedestrian trail access from upland areas to the shoreline, piers, docks, launch ramps, viewing platforms, wildlife viewing blinds and other similar water oriented uses;
 - d. Allowed water-oriented uses in all shoreline environments. The uses must increase public access to the shoreline, provided that development is located, designed, constructed and operated to minimize critical area disturbance to the maximum extent feasible. Such development or redevelopment shall restore or enhance degraded ecological functions. Such development shall not be exempt from the provisions of Section 6.1, Environmental Impact Mitigation; and Section 6.2, Critical Areas and Shoreline Vegetation Conservation.

6.3 Public Access

A. Policies

1. Land uses that provide opportunities for substantial numbers of the people to enjoy the shorelines of the state are preferred.
2. Physical or visual access to shorelines should be incorporated in all new development when the development would either generate a demand for one or more forms of such access, and/or would impair existing legal access opportunities or rights. Public health and safety concerns should also be adequately addressed and maintenance of shoreline ecological functions and/or processes should be assured.
3. Public access should be provided for water-oriented uses and nonwater-dependent uses and developments that increase public use of the shorelines and public aquatic lands, or that would impair existing, legal access opportunities.
4. Provide public access as a part of a residential development of single family units on five or more lots, or when there has been significant historical usage by the public. Historic use is regular use by the public over a period of years rather than incidental or occasional use by one or only few members of the public. This policy is not intended to apply to construction of an individual dwelling on a single lot.
5. Nonwater-oriented uses or activities located on the shoreline should provide public access as a public benefit.
6. Public access area and/or facility requirements should be commensurate with the scale and character of the development and should be reasonable, effective and fair to all affected parties including but not limited to the land owner and the public.
7. Public access design should provide for public safety and minimize potential impacts to private property, individual privacy, and protect shoreline ecological functions and processes.
8. Shoreline development by public entities, such as local governments, port districts, state agencies, and public utility districts, should provide public access measures as part of each development project, unless such access is shown to be incompatible due to reasons of safety, security, or impact to the shoreline.

B. Development Standards

1. Public access shall consist of a dedication of land or a physical improvement in the form of a walkway, trail, bikeway, corridor, viewpoint, park, deck, observation tower, pier, boat launching ramp, dock or pier area, or other area serving as a means of view and/or physical approach to public waters and may include interpretive centers and displays.
2. Public access shall be evaluated for all shoreline permits. Public access will not be required for the following uses, except as determined on a case-by-case basis in Section 6.1 C, mitigation sequencing. Provided the incentive agreement program may offer incentives to a developer to acquire public access for any activity:
 - a. Agriculture,
 - b. Dredging,
 - c. Ecological restoration or enhancement activities not associated with development,
 - d. Instream structures,
 - e. Fill and excavation,
 - f. Shoreline stabilization, and
 - g. Single-family residential development of four (4) or fewer lots.

3. In addition to the list of uses in Section 6.3 B.2 above, the Administrator may waive public access requirements when one or more of the following provisions apply:
 - a. Unavoidable health or safety hazards to the public exist that cannot be prevented by any practical means;
 - b. Inherent security requirements of the use cannot be satisfied through the application of alternative design features or other solutions;
 - c. The cost of providing the access, easement, alternative amenity, or mitigating the impacts of public access is unreasonably disproportionate to the total long term cost of the proposed development;
 - d. Significant environmental impacts will result from the public access that cannot be mitigated; or
 - e. Significant undue and unavoidable conflict between any access provisions and the proposed use and/or adjacent uses would occur and cannot be mitigated.
4. Before public access is waived per Section 6.3 B.3 above, the City must determine that all reasonable alternatives have been exhausted; including, but not limited to:
 - a. Regulating access by such means as maintaining a gate and/or limiting hours of use;
 - b. Designing separation of uses and activities (e.g. fences, terracing, use of oneway glazing, hedges, landscaping, etc.); and
 - c. Providing for access at a site geographically separated from the proposal such as a street end, vista, or trail system.
5. When provisions for public access are waived, this decisions shall be made in writing listing the rationale per Section 6.3 B.3 above, and shall be archived so that this decision can be reviewed by the Washington State Department of Ecology during the next master program update cycle.
6. Parcels within shoreline jurisdiction, which do not front onto a stream, or wetland shoreline will not be required to provide shoreline public access
7. If public access on shoreline parcels is demonstrated to be infeasible or inappropriate on site due to significant interference to operations or hazards to life and property, alternative visual access opportunities may be provided at a location not directly adjacent to the water such as a viewpoint, observation tower, or other areas serving as a means to view public waters.
8. This master program shall seek opportunities to increase public access to existing publicly owned shorelines, such as street ends, and unopened rights-of-ways. Public access to the shoreline shall be balanced with the preservation of shoreline habitat and ecological functions on a case-by-case basis.
9. Public access shall incorporate the following location and design criteria:
10. Where open space is provided along the shoreline, and public access can be provided in a manner that will not adversely impact shoreline ecological functions and/or processes, a public pedestrian access walkway parallel to the ordinary high water mark of the property is preferred. The walkway shall be buffered from sensitive ecological features and provide limited and controlled access to sensitive features and the water's edge where appropriate. Fencing may be provided to control damage to plants and other sensitive ecological features, where appropriate. Trails shall be constructed of permeable materials and limited in width to reduce impacts to ecologically sensitive resources, except for a shared use trail or public access which is part of a boardwalk.
 - a. Public access shall be located adjacent to other public areas, accesses and connecting trails, connected to the nearest public street; and include provisions for handicapped and physically impaired persons where feasible.

- b. Where views of the water or shoreline are available and physical access to the water's edge is not present or appropriate, a public viewing area shall be provided.
 - c. Design shall minimize intrusions on privacy by avoiding locations adjacent to windows and/or outdoor private open spaces or by screening or other separation techniques.
11. Design shall provide for the safety of users, including the control of offensive conduct through public visibility of the public access area, or through provisions for oversight. The Administrator may authorize a public access to be temporarily closed in order to develop a program to address offensive conduct. If offensive conduct cannot be reasonably controlled, alternative facilities may be approved through a permit revision.
 - a. Public amenities appropriate to the use of a public access area such as benches, picnic tables and sufficient public parking to serve the users shall be provided.
 - b. Commercial developments that attract a substantial number of persons and developments by government/public entities may be required to provide public restrooms, facilities for disposal of animal waste and other appropriate public facilities.
 11. The minimum width of public access easements shall be ten (10) feet in width, with twenty (20) feet being the preferred width where significant public use is expected. The Administrator may reduce the width of public access easements, if undue hardship would result or increase the width is necessary to serve the intended function. However, the reduction or enlargement shall only be what is necessary to achieve the intended purpose and it shall be made in writing per Section 6.3 B.5.
 12. Required public access sites shall be fully developed and available for public use at the time of occupancy of the use or activity or in accordance with other provisions for guaranteeing installation through a monetary performance assurance.
 13. Public access facilities shall be maintained over the life of the use or development. Future actions by successors in interest or other parties shall not diminish the usefulness or value of required public access areas and associated improvements.
 14. Public access provisions shall run with the land and be recorded via a legal instrument such as an easement, or as a dedication on the face of a plat or short plat. Such legal instruments shall be recorded with the Thurston County Auditor's Office prior to the time of building permit approval, occupancy or plat recordation, whichever comes first.
 15. Maintenance of the public access facility shall normally be the responsibility of an accepted public or non-profit agency through a formal agreement recorded with the Thurston County Auditor's Office. However, if appropriate given the use, this responsibility may be required of the owner, future home owners association, or other entity approved by the City.
 16. Public access facilities shall be available to the public twenty four (24) hours per day unless specific exceptions are granted though in a shoreline permit.
 17. The standard State approved logo or other approved signs that indicate the public's right of access and hours of access shall be installed and maintained by the owner/developer. Such signs shall be posted in conspicuous locations at public access sites.

6.4 Water Quality

A. Policies

1. Locate, design, construct, and maintain shoreline uses and activities to avoid significant ecological impacts by altering water quality, quantity, or hydrology.

2. Require reasonable setbacks, buffers, and storm water storage basins and encourage low-impact development techniques and materials to achieve the objective of lessening negative impacts on water quality.
 3. Locate, design, construct, and maintain measures for controlling erosion, stream flow rates, or flood waters through the use of stream control works so as to not degrade the existing water quality.
 4. The City will seek to improve water quality, quantity, and flow characteristics in order to protect and restore ecological functions and ecosystem-wide processes of shorelines within Shoreline Management Act jurisdiction. This will be implemented through the regulation of development and activities, through the design of new public works, such as roads, drainage, and water treatment facilities, and through coordination with other local, state, and federal water quality regulations and programs.
 5. Prohibit uses and activities that pose a risk of contamination of ground or surface waters, such as:
 - a. Storage, disposal, or land application of waste (excluding secondary/tertiary treated effluent from municipal sewer systems), including solid waste landfills,
 - b. Operations for confinement feeding of animals,
 - c. Junk yards and auto wrecking yards,
 - d. Storage of hazardous or dangerous substances within a floodplain, and
 - e. Alterations to structures and uses served by septic systems that do not meet state septic requirements.
- B. Development Standards
1. New development within shoreline jurisdiction shall not be allowed on septic systems.
 2. When projects are proposed for existing development operating on septic systems, they shall be required to connect to municipal sewer.
 3. New development shall provide stormwater management facilities designed, constructed, and maintained in accordance with the City's current stormwater management standards. Alternative measures may be considered where it can be demonstrated that off-site facilities would provide better treatment, or where common retention, detention and/or water quality facilities meeting such standards have been approved as part of a comprehensive stormwater management plan.
 4. Best management practices for control of erosion and sedimentation shall be implemented for all development in shorelines through an approved temporary erosion and sediment control plan, or administrative conditions.
 5. Wood treated with creosote, copper chromium arsenic or pentachlorophenol is prohibited in or above shoreline water bodies.
 6. All materials that may come in contact with water shall be constructed of materials, such as untreated wood, concrete, approved plastic composites or steel, that will not adversely affect water quality or aquatic plants or animals. Materials used for decking or other structural components shall be approved by applicable state agencies for contact with water to avoid discharge of pollutants from wave splash, rain, or runoff.

6.5 Parking

A. Policies

1. Allow parking within the shoreline jurisdiction only for an approved use.

2. Design and construct parking facilities to minimize off-site light and glare by using fully shielded and appropriately aimed fixtures to provide appropriate lighting levels.
3. Locate parking facilities landward from the ordinary high water mark and recreational beaches.
4. Link parking facilities with the shoreline and to the buildings they serve by walkways.

B. Development Standards

1. Parking facilities within the shoreline is only allowed as necessary to support an authorized use. Any other type of parking is prohibited.
2. Parking facilities shall be located landward of the principal building, except when the parking facility is within or beneath the structure and adequately screened or in cases when an alternate orientation would have less adverse impact on the shoreline.
3. Over water parking facilities are prohibited.
4. Parking facilities shall be designed and landscaped to minimize adverse impacts upon adjacent shorelines and abutting properties.
5. Parking associated with shoreline access shall be located outside critical area buffers. See Section 6.2.
6. Refer to Section 6.4 for the water quality development standards which include on-site stormwater control measures.

6.6 Signage

A. Policies

1. Design signs within shoreline jurisdiction so that they interfere as little as possible with visual access to the shoreline.
2. Design and locate signs to ensure compatibility with the shoreline environment designation, and adjacent land and water uses.
3. Prohibit billboards within all shoreline environment designation.

B. Development Standards

1. Off-premise signs are prohibited within any shoreline environment designation. Traffic signs are not to be considered off-premise signs.
2. All public access shall be marked with signs approved by the Administrator.

6.7 Historical or Archeological Resources

A. Policies

1. Coordinate development review within the shoreline with the Washington State Department of Archaeology and Historic Preservation and affected Indian tribes regarding historic or archaeological interest.
2. Provide for the protection, rehabilitation, restoration and reconstruction of historic structures listed on the federal, state or local historic registers.
3. Report the discovery of a historic or prehistoric site during excavation or development to the Washington State Department of Archeology and Historic Preservation and to the affected Indian tribes.
4. Encourage the enrollment of historic structures or sites on the Federal, state or local historic registers.

B. Development Standards

1. The protection, rehabilitation, restoration, and reconstruction of historic structures shall be governed by *The Secretary of the Interior's Standards for Rehabilitation & Illustrated Guidelines for Applying the Standards* (1992), as amended.
2. The City shall consult with the Washington Department of Archaeology and Historic Preservation and the affected Indian tribes when known sites are proposed for development. Their comments and recommendations shall be given substantial weight, which may result in denying a development permit where the historic or archaeological value of the site outweighs the development value.
3. The discovery of a historic or pre-historic site during excavation or development shall be reported to the Administrator, the Washington State Department of Archaeology and Historic Preservation, and the affected Indian tribes.
4. Should a historic, cultural or archeological site or artifact of potential significance be discovered in the process of development on the shoreline, then work on that portion of the development site shall be stopped immediately and reported to the Administrator as soon as possible.
5. When warranted by preliminary evaluation or an inadvertent discovery occurs, the Administrator shall then require a site assessment be conducted by a professional archeologist or historic preservation professional, as applicable, to determine the significance of the discovery and the extent of damage to the resource. Once the site assessment is complete, it shall be distributed to the Washington Department of Archaeology and Historic Preservation, and the affected Tribe for a 15-day review period. In the case of case of human remains, this shall be a 30-day review period.
6. If there is a positive determination of a sites' significance, the Administrator may require additional provisions that are deemed to be reasonable and necessary. If the site is determined not to be significant by the above listed agencies or governments, or if the above listed agencies or governments have failed to respond within the applicable review period following receipt of the site assessment, such stopped work may resume.

6.8 Scientific or Educational Uses

A. Policies

1. Conduct scientific studies and educational uses of the shoreline in a way to minimize impacts in accordance with the applicable environmental designations.
2. Require a shoreline permit for scientific and educational activities which may significantly affect water quality or natural systems.

B. Development Standards

1. Scientific or educational uses and activities are limited to those which will not:
 - a. Jeopardize existing wildlife populations or organisms;
 - b. Permanently alter the character of biological habitats; and
 - c. Degrade the character of the shoreline environment in which they are located.
2. Temporary disruptions of biological systems may be permitted when a scientific activity will result in their restoration or improvement.
3. Permits encompassing a variety of activities over an extended period of time may be granted provided limits on the duration of approval are established.
4. Temporary facilities necessary for the conduct of a scientific project shall be removed at the conclusion of the prescribed research activity period.

5. Proposals for shoreline development or use in or on known sites of scientific value that would adversely affect, damage, or diminish such resources shall be prohibited. Such proposals may be allowed by shoreline conditional use permit if it is shown that the materials, artifacts or resources are recoverable and transferrable through adequate evaluation by qualified personnel.

5.0 Master Program Goals

This section describes the overall goals of the master program, which apply to all uses and developments within shoreline jurisdiction regardless of the designated shoreline environment in which they occur. These goals are informed by WAC 173-26 and the governing principles described in Section 1.3.

The general policies and regulations in Section 6.0 and the specific use policies and shoreline modification regulations in Sections 7.0 and 8.0 are the means by which these goals are implemented. Achievement of these goals shall be consistent with the state's policies of avoiding cumulative

5.1 Conservation

A. Purpose

As required by RCW 90.58.100(2)(f), the conservation goals address the protection of natural resources, scenic vistas, aesthetics, and vital shoreline areas for fisheries and wildlife for the benefit of present and future generations.

B. Goals

1. Preserve, enhance and protect shoreline resources (i.e., wetlands and fish and wildlife habitats) for their ecological functions and values, and aesthetic and scenic qualities.
2. Maintain and sustain natural shoreline formation processes through effective shoreline management.
3. Promote restoration and enhancement of areas that are biologically and/or aesthetically degraded while maintaining appropriate use of the shoreline.
4. Protect and enhance native shoreline vegetation to maintain water quality, fish and wildlife habitat, and other ecological functions, values and processes.

5.2 Economic Development

A. Purpose

As required by RCW 90.58.100(2)(a), the economic development goals address the location and design of industries, transportation facilities, port facilities, tourist facilities, commerce and other developments that are particularly dependent on their location on or use of the shorelines.

B. Goals

1. Encourage viable, orderly economic growth through economic activities that benefit the local economy and are environmentally sensitive. Such activities should not disrupt or degrade the shoreline or surrounding environment.
2. Accommodate and promote water-oriented industrial and commercial uses and development, giving highest preference to water-dependent uses.
3. Encourage water-oriented recreational use as an economic asset that will enhance public enjoyment of the shoreline.
4. Encourage economic development in areas already partially developed with similar uses when consistent with this Program and the Tenino Comprehensive Plan.

5.3 Historic, Archeological, Cultural, Scientific and Educational Resources

A. Purpose

As required by RCW 90.58.100(2)(g), these goals address protection and restoration of buildings, sites and areas having historic, archeological, cultural, scientific or educational significance.

B. Goals

1. Maintain finite and irreplaceable links to the past by identifying, preserving, protecting, and where appropriate, restoring historic, archaeological, cultural, scientific and educational (HACSE) sites.
2. Protect HACSE sites and buildings identified on national, state or local historic registers from destruction or alternation, and from encroachment by incompatible uses.
3. Foster greater appreciation for shoreline management, maritime activities, environmental conservation, natural history and cultural heritage by educating and informing citizens of all ages through diverse means.
4. Ensure that tribal organizations and the Washington State Department of Archaeology and Historic Preservation are involved in the review of projects that could potentially affect such resources.

5.4 Public Access

A. Purpose

As required by RCW 90.58.100(2)(b), the public access goals address the ability of the public to reach, touch and travel on the shorelines of the state and to view the water and the shoreline from adjacent locations.

B. Goals

1. Increase the ability of the general public to reach, touch, and enjoy the water's edge, to travel on the waters of the state, and/or to view the water and the shoreline from adjacent locations, provided that private rights, the public safety, and shoreline ecological functions and processes are protected consistent with the U.S. and State constitutions, and state statutes.
2. Locate, design, manage and maintain public access in a manner that protects shoreline ecological functions and processes and the public health and safety.
3. Design and manage public access in a manner that ensures compatibility with water-dependent uses.
4. Where appropriate, acquire access to shorelands. Encourage cooperation among the City and Thurston County, landowners, developers, other agencies and organizations to enhance and increase public access to shorelines as specific opportunities arise.
5. Provide and protect visual access to shorelines.
6. Require public access to and along the shorelines as a condition of approval for shoreline development activities commensurate with the impacts of such development and the corresponding benefit to the public, and consistent with constitutional limitations.
7. Develop and manage public access to prevent adverse impacts to adjacent private shoreline properties and developments

5.5 Recreation

A. Purpose

As required by RCW 90.58.100(2)(c), the recreational goals address the creation and expansion of water-oriented public recreational opportunities.

B. Goals

1. Encourage diverse recreational opportunities in shoreline areas that can support such use and development without human health, safety, and/or security risks, and without adverse effects on shoreline functions, processes, values, private property rights, and/or neighboring uses.
2. Plan for future shoreline recreational needs and acquire (i.e. through purchase, donation or other agreement) shoreline areas that have a high potential to provide recreation areas.
3. Provide for both active and passive recreational needs when developing recreational areas.
4. Support other governmental and non-governmental efforts to acquire and develop additional shoreline properties for public recreational uses.

5.6 Restoration and Enhancement

A. Purpose

As required by WAC 173-26-186, the restoration and enhancement goals address reestablishment, rehabilitation and improvement of impaired shoreline ecological functions, values and/or processes.

B. Goals

1. Improve impaired shoreline ecological functions and/or processes through voluntary and incentive-based public and private programs and actions that are consistent with this Program and other approved restoration plans.
2. Provide fundamental support to restoration work by various organizations by identifying shoreline restoration priorities, and by organizing information on available funding sources for restoration opportunities.
3. Target restoration and enhancement towards improving habitat requirements of priority and/or locally important wildlife species.

5.7 Shoreline Use

A. Purpose

As required by RCW 90.58.100(2)(e), the shoreline use goals address the general distribution, location, and extent of housing, business, industry, transportation, agriculture, natural resources, aquaculture, recreation, education, navigation and other categories of public and private land use.

B. Goals

1. Ensure that shoreline use patterns are compatible with the ecological functions and values of the shoreline and avoid disruption of natural shoreline processes.
2. Protect water quality and aquatic habitat with all new shoreline development.

3. Increase protection of shoreline ecological resources by properly siting and regulating water-dependent and residential uses that have preferred status for use of waterfront lands.
4. Encourage uses that allow for or include restoration so that areas affected by past activities or catastrophic events can be improved.
5. Ensure that all new development is consistent with the Tenino Comprehensive Plan.
6. Limit development intensity in ecologically sensitive and fragile areas.
7. Reduce health and safety risks by limiting development in areas subject to flooding, erosion, landslides, channel migration and other hazards.

5.8 Transportation and Utilities

A. Purpose

As required by RCW 90.58.100(2)(d), transportation and utilities goals address circulation and the general location and extent of thoroughfares, transportation routes and other public utilities and facilities.

B. Goals

1. Develop efficient and economical transportation and utility systems in a manner that assures the safe movement of people, goods and services without adverse effects on shoreline use and development or shoreline ecological functions, processes or values.
2. Locate, construct and maintain new transportation and utility facilities in areas that do not require shoreline stabilization, dredging, extensive cut/fill and other forms of shoreline alteration.

City of Tenino – Shoreline Master Program: Public Engagement Plan

Purpose: The City of Tenino is conducting a periodic review and amendment to the Shoreline Master Program. The Shoreline Management Act (SMA) requires each city and county to review, and, if necessary, revise their SMP. The City received a \$11,200 grant in order to complete the update. Tenino does not intend on changing the character and policy direction of its SMP. The intent behind this periodic review is to bring Tenino’s SMP into conformance with all applicable requirements and regulations.

Public Engagement Overview:

- **Planning Commission** is the body which will review and recommend the SMP periodic update. In addition to the Commission workshop and public hearing, the Planning Commission will be continually updated at publicly noticed meetings.
- **City Website:** ongoing project updates, drafts, outreach materials.
- **Agency/ Stakeholder List:**

Agency	Contact Name	Title	Phone	Email
City of Tenino	John Millard	Clerk/ Treasurer	360-264-2368	clerktreasurer@ci.tenino.wa.us
Ecology	Sarah Cassal	Shoreline Planner	360-688-6374	salu461@ecy.wa.gov
Washington Department of Fish and Wildlife	Larry Phillips	Coastal Region Director	360-249-4628	TeamMontesano@dfw.wa.gov
Thurston County	Andrew Deffobis	Associate Planner	360-786-5467	
Chehalis Tribe	Planning Dept.		360-709-1813	
Army Corp of Engineers	Matt Bennett		206-764-3428	Matthew.J.Bennett@usace.army.mil
Tenino School District	Joseph Belmonte	Superintendent	360-264-3410	belmontej@tenino.k12.wa.us
South Thurston Fire & EMS	Andrew Schaffron	Chief	360-264-4116	
Tenino Area Chamber of Commerce			360-264-5075	wrutherford@adesa-wa.com
Department of Commerce	Gary Idleburg		360-725-3045	gary.idleburg@commerce.wa.gov
Thurston Conservation District	Karin Streljotf	Conservation Program Manager	360-754-3588	karin@thurstoncd.com

Public Engagement Timeline

		2020		2021			
		June-July	September	January		March-April	April
Date	Virtual Meeting: TBD	Tenino Planning Commission meeting: Wednesday, September 9, 2020 at 6:00 pm	Tenino Planning Commission meeting: Wednesday, January 13, 2020 at 6:00 pm	Send to agencies: early January 22, 2021	Planning Commission: March 10, 2021 City Council: April 13, 2021	end of April draft to Ecology (grant concludes June 30, 2021)	
Outreach	Agency/ Stakeholder Kickoff	Planning Commission Workshop	Rollout Planning Commission Workshop	Notice of Intent (NOI) to Adopt	Public Hearings – adoption and recommendation for adoption hearings	City submits SMP amendment to Ecology	
Details	See Agency/ Stakeholder List Above	Planning Commission workshop - input, checklist, and review goals, policies, and regulations.	Joint Workshop Rollout Plan – review amendments and revisions	60 day notice	Legislative Action	Submittal to Ecology	
Action	Engage stakeholders, agencies, and civic groups in SMP update.	Dual engagement: online participation and in person social distancing	Host a public Rollout workshop (virtual and in person)	NOI to Commerce, Ecology, other Agencies	Public Hearing and adoption of SMP periodic update	Prepare responsiveness summary from public hearing, submit adopted draft to Ecology	