

## **1.6 Regulations Adopted by Reference**

The Critical Areas regulations ~~in effect on October 1, 2013~~ adopted on August 16, 2016, Ordinance Number 7030 and additional amendments adopted on \_\_\_\_\_, Ordinance Number \_\_\_\_\_ and contained in the Olympia Municipal Code (OMC) Chapters 18.32 and 16.70 are integral and applicable to this Shoreline Program, and are hereby adopted by reference; provided that the reasonable use provisions set forth in OMC 18.66.040 shall not be available within the shoreline jurisdiction. Instead, applicants may apply for a shoreline variance when seeking relief from critical areas regulations within shorelines. Similarly, Section 18.06.100 A.2.C -- West Bay Drive Building Height and View Blockage Limits (Ordinance 6646, passed on July 14, 2009), is hereby adopted by reference to the extent that the height and use regulations identified therein are applicable to the shoreline jurisdiction area.

## **3.17 18.20.310 – Official Shoreline Map**

The Shoreline Map (Figure 4.1) is hereby amended to correct a map error in Budd Inlet, Reach BUDD-3B to show the intent, which is to include the now unused railway berm shown on previous maps but erroneously deleted in the latest SMP update. The Boundary Descriptions in Appendix B are correct.

## **3.22 18.20.420 - Critical Areas**

- A. All uses and development occurring within the shoreline jurisdiction shall comply with Chapter 18.32 (critical area regulations) and Chapter 16.70 (flood damage prevention), except as modified in (C) below.
- B. If there are any conflicts or unclear distinctions between this chapter and Olympia’s critical area or flood damage prevention regulations, the requirements that are the most consistent with the Shoreline Management Act or Washington Administrative Code pertaining to shoreline management shall apply.
- C. Regardless of other provisions in Chapter 18.32, to ensure consistency with the shoreline Management Act critical areas within shoreline jurisdiction shall be subject to the following:
  1. In shoreline jurisdiction, critical area review and permit procedures will be incorporated into and conducted consistently with the associated shoreline permit or exemption review and approval.
  2. Stream and Important Riparian Area buffer reductions beyond twenty-five percent (25%) ~~(OMC 18.32.435(H))~~ within shoreline jurisdiction shall require a shoreline variance.
  3. ~~In shoreline jurisdiction, OMC 18.32.515(B) does not apply. Furthermore, OMC 18.32.515(A) only applies to isolated Category III and IV wetlands, and impacts must be compensated for (the replacement ratios in OMC 18.32.550 apply in shoreline jurisdiction).~~

4.3. Stormwater facilities may be allowed in the outer twenty-five percent (25%) of Category III and IV wetland buffers in shoreline jurisdiction (OMC 18.32.525(K)) and only when no other location is feasible.

5.4. Utility lines may be allowed in the outer twenty-five percent (25%) of Category III and IV wetland buffers in shoreline jurisdiction (OMC 18.32.525(M)).

6.5. Locating stormwater facilities or utilities within wetlands or within any wetland buffer other than those specified in numbers 4 and 5 above shall require a shoreline variance (OMC 18.32.530(E) and (G)).

~~7. In shoreline jurisdiction, provisions allowing wetland buffer averaging (OMC 18.32.535(F)) and administrative wetland buffer reductions (OMC 18.32.535(G)) shall not be used together.~~

8.6. Wetland buffer reductions beyond twenty-five percent (25%) ~~(OMC 18.32.535(H))~~ within shoreline jurisdiction shall require a shoreline variance.

9.7. Identification of wetlands and delineation of their boundaries in shoreline jurisdiction shall be done in accordance with the approved federal wetland delineation manual and applicable regional supplements (OMC 18.32.580).

10.8. Reasonable use exceptions (OMC 18.66.040) are not available for relief from critical area standards within the shoreline jurisdiction. Instead, applicants seeking relief from the critical area standards shall apply for a shoreline variance.

11.9. New development or the creation of new lots that would cause foreseeable risk from geological conditions during the life of the development is prohibited.

12.10. Uses and activities that may be authorized within floodways are limited to those listed in WAC 173-26-221 (3)(c)(i).

~~13. In shoreline jurisdiction, the point scale used to separate wetland categories in OMC 18.32.510 does not apply. Category I wetlands are those that score 23 or more points, category II wetlands are those that score between 20 and 22 points, category III wetlands are those that score between 16 and 19 points, and category IV wetlands are those that score fewer than 16 points.~~

### **3.58 18.20.810 – Permitted Shoreline Modifications**

**Table 7.1 – Shoreline Modifications**

<b>P – Permitted C – Conditional Use</b>	<b>Natural</b>	<b>All other Shoreline Environments</b>	<b>Aquatic (Same as adjacent</b>	<b>Notes &amp; Applicable Regulations</b>
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<b>X – Prohibited X/C – Allowed by conditional use only in specific cases.</b>			<b>shoreline environment designation)</b>	
<b>Dredging</b>	C (Only for Ecological Restoration/ Enhancement Projects)	P	←	See OMC 18.20.820
<b>Fill</b>	C (Only for Ecological Restoration/ Enhancement Projects)	P	←	See OMC 18.20.830 through 837
<b>Piers, Docks, Floats and Buoys</b>	X	P	←	See OMC 18.20.842-840 through 18.20.848
<b>Ecological Restoration and Enhancement</b>	P	P	←	See OMC 18.20.850 through 18.20.855
<b>Instream Structures</b>	P	P	←	See OMC 18.20.857
<b>Shoreline Stabilization Hard Armoring</b>	X	X/C See OMC 18.20.870	←	See OMC 18.20.860 through 18.20.870
<b>Shoreline Stabilization Soft Armoring</b>	P	P	←	See OMC 18.20.860 through 18.20.870
<b>Breakwaters, Jetties, Groins, and Weirs</b>	X	X/C See OMC 18.20.874	←	See OMC 18.20.872 through 18.20.874
<b>Stair Towers</b>	X	X	←	Prohibited