

**City Council SMP Questions for Staff  
Responses to October 9, 2012 Questions**

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Buxbaum

1. Where are there areas of inconsistency or potential conflict between the SMP goals to promote recreational uses and the establishment of vegetative buffers?

The proposed SMP section 5.9.3 provides for vegetative buffers of 50 feet in the Urban Conservancy and Natural Shoreline Environmental Designations and 20 feet in the Urban Intensity. Section 5.9.4 provides for permitted uses and activities and public recreation trails are included under item 4 when they have been identified in adopted plans.

The proposed SMP provides for a 25 foot setback in the Urban Conservancy SED and 15 feet in areas designated as Urban Intensity for trails and shared use paths.

The creation of a blanket vegetation management zone fifty feet in width precludes the full use and enjoyment of our public waterfronts. As an example, this would preclude the development of waterfront walkways within the first 15' or 25' of the OHWM and other multi-purpose play areas such as the recently completed Percival Landing multipurpose field would need to be setback 100 feet. In the case of West Bay Park, some vegetative buffer may be appropriate, but limiting the public's access to the shoreline solely to narrow access pathways will constrain public use of a very valuable park and waterfront. Water enjoyment uses are required to be setback 50 feet.

2. Could any proposed SMP policies or regulations adversely impact or affect City facilities or interests?

Yes, the proposed regulations create nonconformities, uncertainty and additional regulatory burdens to install new and maintain existing facilities. The City has numerous utility lines within the Shoreline. The very nature of sewer facilities requires that they be located at low points and these areas generally occur along our shorelines. Significant conflicts with utility lines exists along Capitol Lake reaches as well as Bud Inlet reaches.

Staff recommends that the definition of utility be drawn broadly including water, sewer, stormwater, and flood protection lines and facilities and that these uses and facilities be clearly allowed within the shoreline and not be required to be setback from the OHWM.

3. What are the rules regarding utilities easements within required setbacks?

There is extensive overlap between the shoreline and utility easements.

Utility easements are allowed in required building setbacks. OMC 18.04.060.H.2.c - no building construction or projection is allowed within any utility, access, or public/private easement.

Utilities are a conditional use within the Aquatic designation and are permitted with a conditional use permit within 100 feet of the shoreline and as a substantial development permit outside the first 100 feet. Within the Urban Conservancy areas along Budd 3A, 3B, and 3C, Budd 4 and Budd 5C utilities are a CUP or Permitted use based on their distance from the shoreline. No specific setbacks were proposed for

these reaches for lines, however, associated buildings must meet a 50', 70' or 100' foot setback.

Within Capitol Lake reach 1, 3A 4 and 5 utilities are not permitted and within Capitol Lake reaches 6 and 7 utilities are a CUP or permitted subject to a SDP depending on the distance from the shoreline. Associated buildings are required to meet a 100 foot setback while no specific recommendation was developed for lines.

Within the Urban Intensity designated areas such as Budd 5A, Budd 6A utilities are a CUP or permitted subject to a SDP depending on the distance from the shoreline. No specific setback recommendations were developed.

### Hankins

1. The Port has indicated they are not authorized to do housing projects on Port property. Please clarify.

The Port property is comprised of Industrial and Urban Waterfront Zoning. The Industrial Zoning District covers the marine terminal and does not generally allow residential uses. The Urban Waterfront Zoning District covers the balance of the Port's property downtown and does allow a variety of residential uses.

*Provided by the Port:* Ports' powers are set forth by the legislature, and include the power to acquire and develop land for marine terminals and harbor improvements, airports, infrastructure and pollution control facilities, commercial and industrial operations, and economic development. See RCW 53.08.010-.020; -.245.

*Although these powers do not explicitly include residential development, as part of their economic development mission, ports can lease port land to developers who own and operate residential development. Commissioners have had several discussions at their regular commission meetings concerning the advisability of Port of Olympia property accommodating residential development rather than commercial and industrial development.*

*While the Port Commission has not recently had a specific or formal discussion concerning residential use on Port property, residential is identified as an acceptable use in the East Bay district in the adopted Port Development Guidelines (most recent adopted update occurring on 10/24/11). At this time if residential was identified as a permitted use in a Port Industrial and Maritime designation there would not be an objection. However, the decision to move forward with any development proposal that included residential on Port property would reside exclusively with the Port Commission.*

*There are limitations to some of the uses associated with the property that were created under Section 404 of the Federal Water Pollution Control Act permit issued by the US Army Corps of Engineers in 1982. Residential is not identified as one of the acceptable uses in this area.*

*The identified acceptable uses are as follows:*

*Restaurants  
Coffee Shops  
Boat Sales  
Yacht Brokers  
Marine Surveyors*

*Marine Insurance  
Sail Loft & Sales  
Canvas/Boat Tops and Upholstery  
Engine Repairs, Parts & Service  
Marine Supplies & Hardware*

*Boat Repair Facilities*  
*Dry Storage - Open & Covered*  
*Haul-out Facilities*  
*Boating Apparel*  
*Electronic Sales & Services (marine related)*  
*Fishing Supplies*  
*Fuel Facilities*  
*Groceries*  
*Charter Boats & Boat Rentals*  
*Yacht Designers*  
*Naval Architects*  
*Boat Trailer Dealers*  
*Marina Parking*  
*Coast Guard or Police Facilities*  
*Canoe/Kayak Facilities*  
*Shell House - Crew Racing*  
*Laundry Facilities*  
*Restrooms*  
*Public Transit Shelters - not park and ride*  
*Marina Maintenance Building*  
*Marina Administration Building*  
*Port Administration Building*

*Offices Relating to Maritime Business*  
*Boat Builders*  
*Shipyards Seaplane Landing*  
*Ferry Terminal*  
*Recycling Area for Boaters*  
*Fishing, Viewing Piers & Towers*  
*Boat Shows*  
*Yacht Maintenance & Management*  
*Boat Rental*  
*Boat Appliance Repair*  
*Fish Buyers*  
*Commercial Fish Boat Facilities*  
*Dry Dock*  
*Yacht Deliveries*  
*Oceanographic Mapping/Charting*  
*Boat Salvage*  
*Boat Pump out & Service*  
*Seafood Market Fish Processing - load/unload*  
*Accessory Uses, e.g. Pump Stations, substations, Phone Booths, Signage, etc.*  
*Boat Names - Commercial Painters & Lettering*

2. What standards/regulations are required to be in the SMP as compared to other development regulations? See attached *Issues Summary Matrix* for further information and DOE SMP Checklist for details regarding SMP requirements and other regulations.

(ii) **Master program regulations.** RCW 90.58.100 states:

*"The master programs provided for in this chapter, when adopted or approved by the department shall constitute use regulations for the various shorelines of the state."*

In order to implement the directives of the Shoreline Management Act, master program regulations shall:

(A) Be sufficient in scope and detail to ensure the implementation of the Shoreline Management Act, statewide shoreline management policies of this chapter, and local master program policies;

(B) Include environment designation regulations that apply to specific environments consistent with WAC 173-26-210;

(C) Include general regulations, use regulations that address issues of concern in regard to specific uses, and shoreline modification regulations; and

(D) Design and implement regulations and mitigation standards in a manner consistent with all relevant constitutional and other legal limitations on the regulation of private property.

(c) "Master program" shall mean the comprehensive use plan for a described area, and the use regulations together with maps, diagrams, charts, or other descriptive material and text, a statement of desired goals, and standards developed in accordance with the policies enunciated in RCW [90.58.020](#). "Comprehensive master program update" means a master program that fully achieves the procedural and substantive requirements of the department guidelines effective January 17, 2004, as now or hereafter amended

Jones See Previous Response

1. What is the role of Ecology when a Conditional Use Permit is required? [See response to Mayor Pro Tem Jones.](#)
2. If Ecology has a role with CUPs, does their role differ depending on the SED? [See Response to Mayor Pro Tem Jones.](#)
3. Concerning the Port - does the "special recognition" of the Port apply to all uses or activities a Port might propose, or just particular kinds of uses?

Ports through functioning in their economic development role and support many different uses. Some of these uses are marine dependent and others are not. Only uses that are marine related would be subject any sort of special consideration.

From the Port: The Shoreline Management Act (SMA) speaks in terms of "uses" of the shorelines. Indeed, RCW 90.58.020 states the policy behind the SMA is management of shorelines by "planning for and fostering all reasonable and appropriate uses." However, that same provision goes on to state that for certain uses that are water dependent , alteration (i.e. development) of the shoreline is allowed, with "priority" for (among other things) ports and marinas. In addition, RCW 90.58.100 states that local Shoreline Master Programs have to include locations for port facilities. Ecology's regulations implementing the SMA echo this notion. It is under the section discussing shoreline use priorities that the regulations require local jurisdictions to "work with the Washington state department of natural resources and port authorities to ensure consistency with harbor area statutes and regulations, and to address port plans."

The SMA therefore supports the idea that ports have a priority status under the SMA, or are "priority users," even though the statute speaks more broadly in terms of "uses."

4. How have other jurisdictions dealt with the issue of covered moorage? ? [See response to Mayor Pro Tem Jones.](#)
5. Can Olympia use the SMP to establish general standards/requirements for "soft" approaches to shoreline bank stabilization? ? [See response to Mayor Pro Tem Jones.](#)
6. Can the SMP play a role in regulating stormwater detention, treatment, or outfalls? ? [See response to Mayor Pro Tem Jones.](#)
7. Regarding Shoreline Environmental l Designations (SED): The City can develop new, alternative designations if it determines they are appropriate for a given shoreline reach. Can staff provide comments on this option, or perhaps sketch out some

conceptual approaches to adding new SEDs? All new SEDs must provide a purpose statement, classification criteria, management policies, and regulations. Areas such as the Port Lagoon or the west side of East Bay may be appropriate for unique shoreline designations given their unique characteristics.

#### Roe

1. Is it possible or legal that some non-conforming uses be grandfathered and others enforced?

Yes. There are many approaches to dealing with existing uses in the shoreline and identifying which uses are permitted or not permitted within the shoreline is an important part of the regulatory process.

2. If zoning regulations prohibit industrial uses throughout Budd-1 through Budd-3 what would be the impact to Dunlap Towing or other existing industrial users, and what recourse would impacted property owners have?

If the zoning were to change to make industrial uses such as Dunlap Towing a non-conforming use it would become subject to the nonconforming use provisions of the zoning regulations. It could continue to operate in its present configuration with no impacts.

3. There are 3 reaches in particular on Budd Inlet that seem most problematic: The UC reaches on W.Bay , the reach where Bayview is, and the reach on the west side of East Bay along the Port Peninsula.

4. Can the City develop new SEDs for these and other reaches?

Yes. The Guidelines allow jurisdictions to establish a different designation system provided it is consistent with the purposes and policies therein (WAC 173-26-211 4 and 5). Each environment designation must still include a purpose statement, classification criteria, management policies, and regulations. They must be assigned consistent with the designation criteria and protect existing ecological functions with the proposed pattern and intensity of development. See also the chapter 13 of the SMP handbook at:

[http://www.ecy.wa.gov/programs/sea/shorelines/smp/handbook/chapter\\_13\\_env\\_designations\\_411.pdf](http://www.ecy.wa.gov/programs/sea/shorelines/smp/handbook/chapter_13_env_designations_411.pdf). Alternative environments are mentioned in a few places, with a more substantive discussion and example on page 15.

5. Can staff attempt to address the Port's 10 questions presented at the October 2<sup>nd</sup> workshop? See responses below.

6. Can staff please provide a clear definition of nonconforming use, impacts and different approaches?

Nonconforming uses and buildings entail activities and buildings that were legally established, but are no longer allowed under existing regulations. Coined legally nonconforming, such uses and buildings may continue, but alterations that increase

the degree of nonconformity of the use or building are not allowed under proposed regulations. Nonconforming structures may be maintained and repaired. Nonconforming status is lost if use is discontinued for 12 months or more.

Optional approaches (some discussed in the SMP Handbook):

- Traditional - described in previous paragraph.
- Optional
  - SB 5451 added language to RCW 90.58.620 to address nonconforming single family structures:
    - 1) New or amended master programs approved by the department on or after September 1, 2011, may include provisions authorizing:
      - (a) Residential structures and appurtenant structures that were legally established and are used for a conforming use, but that do not meet standards for the following to be considered a conforming structure: Setbacks, buffers, or yards; area; bulk; height; or density; and
      - (b) Redevelopment, expansion, change with the class of occupancy, or replacement of the residential structure if it is consistent with the master program, including requirements for no net loss of shoreline ecological functions.
    - Whatcom County requires a variance for expansion of structure except for single family.
    - Require administrative variance to rebuild a structure damaged more than 50% of its value instead of shoreline variance (hearing required) to previous footprint.
    - Allow development damaged 100% of its value to rebuild without a variance.

#### **City of Burien:**

1. **Existing Single-Family Homes, Appurtenances, and Other Existing Structures.** Single-family homes, appurtenances and other structures that were legally established by Burien - \_\_\_\_\_ (effective date of this SMP) are considered to be conforming to the SMP. Any addition, expansion or reconstruction beyond the existing footprint of the single-family home, appurtenance or other structure must comply with the SMP. Replacement of any portion of any structure in the Aquatic shoreline designation shall comply with the SMP requirements for materials that come in contact with the water pursuant to 20.30.045 [2.b][Water Quality, Storm Water and Nonpoint Pollution].

#### **City of Spokane:**

- A. In accordance with the requirements in this section, structures that were legally established prior to the SMP or these Shoreline Regulations, or amendments thereto, and are used for a conforming use but which are nonconforming with regard to setbacks, buffers or yards, area, bulk, height or density may be maintained and

repaired and may be enlarged or expanded provided that said enlargement does not increase the extent of nonconformity by further encroaching upon or extending into areas where construction or use would not be allowed for new development or uses.

- B. A nonconforming structure which is moved any distance must be brought into conformance with the applicable Shoreline Regulations and the Act.
- C. If a nonconforming structure is damaged to an extent not exceeding 75 percent of the replacement cost of the original structure, it may be reconstructed to those configurations existing immediately prior to the time the structure was damaged, provided that application is made for the permits necessary to restore the structure within six months of the date the damage occurred, all permits are obtained, and the restoration is completed within two years of permit issuance, except that nonconforming single-family residences, manufactured homes, and mobile homes may be reconstructed regardless of the extent of damage so long as application is made within the times required by this subsection.

#### City of Lacey:

- Excludes the footprint of an existing legally established residence located within the shoreline setback from the ordinary high water mark (OHWM) from being labeled as nonconforming, while achieving no net loss of shoreline resources through mitigation as redevelopment or expansion occurs.

#### Bremerton:

**Nonconforming development** may continue provided it conforms to requirements in Bremerton Zoning Ordinance Title IX: Nonconformities.

#### Cooper

1. How do we rework this document so we achieve more than the minimum of no net loss and get to a net gain? How can we do this and yet also achieve social, environmental, and economic needs balance Michael Cade referred to at the September 25<sup>th</sup> Council workshop?

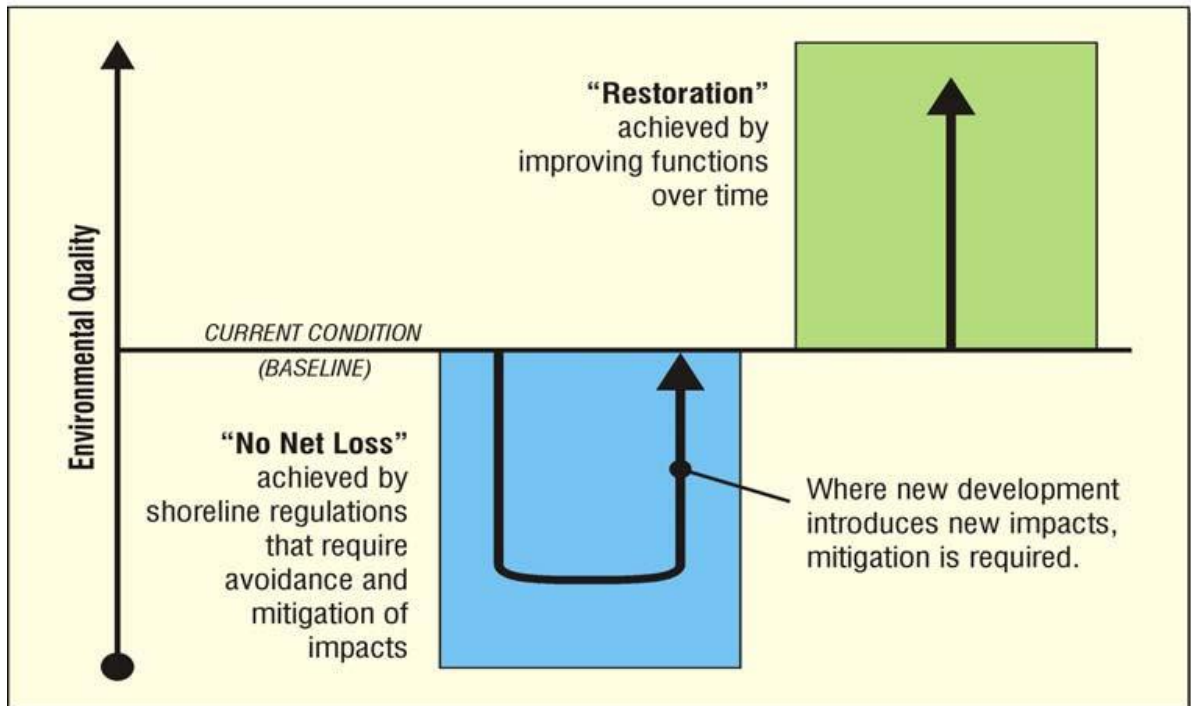
The proposed Shoreline Master Program and related State guidelines require shoreline development not result in a net loss, and include a plan for net gain - primarily through implementation of the new Restoration Plan. Generally, private development cannot be required to do more than not have adverse impacts. To get to net gain, the community, including the City and partner agencies, needs to find a means to fund and implement the projects in the Restoration Plan and similar activities. Achieving such lofty environmental goals has been shown to have environmental, social and economic benefits for a community.

The Shoreline Management Act and the Department of Ecology guidance recognize that achieving this balance is difficult. The WAC states,

“(2) The policy goals for the management of shorelines harbor potential for conflict. The act recognizes that the shorelines and the waters they encompass are "among the most valuable and fragile" of the state's natural resources. They are valuable for economically productive industrial and commercial uses, recreation, navigation, residential amenity, scientific research and education. They are fragile because they depend upon balanced physical, biological, and chemical systems that may be adversely altered by natural forces (earthquakes, volcanic eruptions, landslides, storms, droughts, floods) and human conduct (industrial, commercial, residential, recreation, navigational). Unbridled use of shorelines ultimately could destroy their utility and value. The prohibition of all use of shorelines also could eliminate their human utility and value. Thus, the policy goals of the act relate both to utilization and protection of the extremely valuable and vulnerable shoreline resources of the state. The act calls for the accommodation of "all reasonable and appropriate uses" consistent with "protecting against adverse effects to the public health, the land and its vegetation and wildlife, and the waters of the state and their aquatic life" and consistent with "public rights of navigation." The act's policy of achieving both shoreline utilization and protection is reflected in the provision that "permitted uses in the shorelines of the state shall be designed and conducted in a manner to minimize, in so far as practical, any resultant damage to the ecology and environment of the shoreline area and the public's use of the water." RCW 90.58.020.”



## Two Distinct Objectives: No-Net Loss of Shoreline Ecological Functions and Restoration Over Time



Also see response to Councilmember Hankins' question pertaining to transition periods below.

2. Can we get language from other jurisdictions that has been developed for inclusion in SMPs that would lay out incentives to develop waterfront trails, access, etc?

Other approaches to encourage trail dedication/construction could include decreased setbacks, vegetation management approaches to limit impacts on upland views and even greater heights. The City could also pursue acquisition of a trail easement using its powers of eminent domain.

There are many complex legal issues involved in these types of cases and the facts would need to be considered on a project basis. The Supreme Court case of *Dolan vs. the City of Tigard, OR* was decided in 1994 and set the standard for cases involving use of conditions in exchange for discretionary benefits. This case involved:

“Petitioner Dolan, owner and operator of [A-Boy Plumbing & Electrical Supply](#) store in the city of [Tigard, Oregon](#), applied for a permit to expand the store and pave the parking lot of her store into Gooby's yard. The city planning commission granted conditional approval, dependent on Dolan dedicating land to a public [greenway](#) along an adjacent creek, and developing a pedestrian and bicycle pathway in order to relieve traffic congestion. The decision was appealed to the [Oregon](#) State Land Use Board of Appeals (LUBA), alleging that the land dedication requirements were not related to the proposed

development, and thus constituted an uncompensated taking of her property, which is disallowed by the Fifth Amendment. LUBA found a reasonable relationship between the development and both conditions of the variance, as the larger building and paved lot would increase runoff into the creek, and the impact of increased traffic justified the requirement for a pathway. The decision was subsequently affirmed by the Oregon State Court of Appeals and the Oregon Supreme Court.

The Supreme Court overturned the state Land Use Board of Appeals and the Oregon appellate courts. The Court held that under the doctrine of unconstitutional conditions, a government agency may not require a person to surrender constitutional rights in exchange for discretionary benefits, where the property sought has little or no relationship to the benefit conferred. A two-prong test was applied: Whether or not there is a "Dolan nexus" between the permit conditions and legitimate state interest, and whether or not the degree of the exactions required by the permit condition bears the required relationship to the projected impact of the proposed development.

In the Dolan case, the Court held that the first condition had been satisfied. However, the Court ruled that the City failed to make an individualized determination that the required dedications are related, in both nature and extent, to the proposed impact. Further, the Court held that the requirement for a *public* greenway (as opposed to a private one, to which Dolan would retain other rights of property owners, such as the right of exclusive access), was excessive, and that the City failed to meet its burden of establishing that the proposed pathway was necessary to offset the increased traffic which would be caused by the proposed expansion."

We have asked the Department of Ecology for information on how other communities have dealt with this issue.

3. Can we create a "trust fund" of some kind to help fund large restoration objectives? Mitigation Fee in Lieu is a concept that staff is exploring and will provide additional information later in the process.
4. Can we find in the record why the work "marine" was dropped from the Port's SED during the Planning Commission deliberations?

It may be hard to locate this information in the record, but "marine" was dropped following the Planning Commission's decision to limit the extent of a unique SED for the Port. Staff suggested and the Commission accepted "Port Industrial" as the title of the SED because it reflected the industrial nature of the waterfront.

Roe: How long-term is the long-term vision we are trying to achieve with this SMP? Is it, for example, 50 years, or is it just until the next update in 8 years? When we are considering the shoreline designations, are we supposed to focus on how they are characterized by existing uses, or should we focus on desired future uses? What's the relationship between the SMP and the Comp Plan?

SMA-GMA integration in 1995 and GMA amendments in 2003 to add shorelines as a GMA goal strengthen the relationship of shoreline planning to comprehensive planning, which plans for a 20 year horizon. SMP's are to be integrated within local comprehensive plans and development regulations; all SMP goals, policies and regulations must be internally consistent with such.

The goals and policies of the SMP are part of the City's Comprehensive Plan. Thus the SMP must be consistent with both the goals of the State's Shoreline Management Act and the City's Comprehensive Plan. That Plan, and thus the SMP, looks forward a minimum of twenty years, but also includes aspects envisioning the community fifty or more years in the future. The shoreline designations are to consider both existing circumstances, and the long-term vision of the City. And, as noted, the SMP is to be reviewed - and potentially adjusted - every eight years.

**Hankins:** Please explain Ecology's reference to the need for a "transition period" as we move toward desired future conditions for the shorelines.

Here are two issues a statement like that may have been in reference to. One, that there may be a transition period, since the Comp Plan is also in the update process, before the two documents are consistent (if the new one varies substantially from the existing one, which the draft I read didn't). Two, if the desired future condition of the shoreline in general is more native vegetation, less armoring, trails or other changes then that isn't going to happen overnight whether the City or a developer is doing the work. In some cases, this could involve larger scale restoration projects done by (for example) the Port or the City. It obviously takes time to plan, permit, and fund these types of projects.

At a project level, the Guidelines will require that an entity wanting a new bulkhead produce a geotechnical report addressing the urgency of the problem and the necessity for hard stabilization. The details associated with the process [outlined in WAC 173-26-231 (3) (a) (iii)] are intended to prohibit hard stabilization structures where they are not absolutely needed and where soft stabilization can achieve the same ends. If someone wants to replace an existing shoreline stabilization structure, they also must demonstrate the need (not necessarily through a geotech report). This process is also geared toward achieving a gradual transition along the shoreline from hard to soft stabilization measures where it makes sense.

Many permitting processes are moving towards disincentives for hard armoring. For example, Ecology is going to require individual 401 water quality certifications for bulkheads, where it used to be a certified activity. Previously, if a project qualified for a Nationwide Shoreline Stabilization Permit from the Army Corps of Engineers, the activity automatically received 401 certification.

Buxbaum: Please have staff look into LOTT's concerns about utilities and pipelines along Capitol Lake and whether currently proposed SEDs would make them prohibited or nonconforming.

There are utilities around Capitol Lake that fall within shoreline and could be effected by required setbacks and vegetation conservation areas. New utilities would be prohibited in CAP 4 and 5 and existing utilities would become nonconforming.

#### Port Questions

1. What is the objective to be achieved in classifying the eastern portion of the Port Peninsula Urban Conservancy?

Limit development and encourage restoration.

2. Will the Port be able to develop any structure within 200 feet of the shoreline at North Point and at the Swantown Marina if Urban Conservancy remains the designation?

The Planning Commission recommended:

- 100' setbacks for a boating facilities, commercial uses, roads, railroads, parking lots, utility buildings and accessory structures.
- 50' setbacks for water dependent and water related recreation.
- 25' for trails/paths
- 10' for viewing platforms

3. Will Boatworks and Olympia Area Rowing be considered nonconforming?

Yes. Proposed setbacks would render these uses nonconforming.

4. Is the objective of identifying a structure or property as nonconforming to insure that it eventually goes away and doesn't come back at that location?

Yes.

5. How much of the Olympia shoreline will be considered nonconforming if the plan is passed as recommended by the Planning Commission?

Staff is still developing this information and will depend on SEDs and development regulations.

6. What are the impacts of identifying a property as nonconforming? Please ask lending, finance, insurance and real estate professionals this question?

Depending on the extent of the nonconformity, additions/expansions may be difficult depending on site conditions. Variances are difficult to obtain. If a structure is damaged over 50% of its value, reconstruction must comply with new standards unless owner seeks variance (planning commission approved an administrative process for such a variance).

In the context of the SMA, restricting waterward expansion offers greater protection of the shoreline. Although Olympia's shorelines are highly altered, increased setbacks

will stop construction close to the water's edge and leave room for future restoration or enhancement.

7. What is the purpose of a setback and what is the objective in increasing setbacks in this SMP update?

Generally, setbacks are used to protect environmental health and safety of a community and the natural environment. Setbacks are required minimum distances to create space between buildings to increase available light and air to building occupants, create yards, allow enough room for site grading, utilities, and other infrastructure that support the building(s) on a site.

The primary objective of increased setbacks is to meet the no net loss requirement by moving development further away from the shoreline. Another objective is to reserve areas for berms or other structures to project Olympia's shorelines during flooding events.

8. Does removing the ability to commercially develop a piece of property or making the property nonconforming have an impact on the value of the property? If so is it possible to quantify the property value impact of the proposed changes?

Staff lacks the expertise or resources to respond to this question.

9. What was the rationale behind altering the SMP that was recommended by the Thurston Regional Planning Council? Did the science, characterization of the shoreline conditions or interpretation of the data change?

The TRPC draft was written as a model SMP for Lacey, Tumwater, and Olympia with the understanding that individual cities would refine to address local conditions and desires. Olympia staff revised the document to address Olympia's unique shoreline conditions.

10. Is there any connection between the proposed SMP and the future decisions regarding Capitol Lake?

The proposed SMP only addresses future development around the lake, e.g., permitted uses, heights, setbacks, etc. Whether the dam is removed is a decision of the Legislature.