

City of Port Angeles SMP Periodic Review

Draft Gap Analysis

Prepared on behalf of:



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Periodic Review Checklist

1. Introduction

In accordance with the Washington State Shoreline Management Act, local jurisdictions with “Shorelines of the State” are required to conduct a periodic review of their Shoreline Master Programs (SMPs) (Washington Administrative Code [WAC] 173-26-090). The periodic review is intended to keep SMPs current with amendments to state laws, changes to local plans and regulations, changes in local circumstances, and new or improved data and information.

The City of Port Angeles (City) adopted its current SMP on October 21, 2014 (Ordinance No. 3514). Shorelines of the State in the City include the marine waters of Port Angeles Harbor, the Strait of Juan de Fuca (north to the international boundary) and tidally influenced portions of Valley, Tumwater, Peabody and Ennis Creeks.

The current SMP outlines goals and policies for shorelines in the City and establishes regulations for their development. The current SMP regulates critical areas in shoreline jurisdiction by referencing the citywide critical areas regulations in Port Angeles Municipal Code Title 15. Moreover, the SMP includes some additional critical areas provisions that are only applicable within shoreline jurisdiction.

As a first step in the periodic review process, the City’s current SMP was reviewed by City staff and consultants. The purpose of this SMP Periodic Review Gap Analysis is to present a summary of the review and inform updates to the SMP. This document is organized into the following sections:

- **Section 2** identifies gaps in consistency with state laws, rules and implementation guidance.
- **Section 3** identifies gaps in the SMP related to critical areas regulations.
- **Section 4** identifies gaps in the relationship of the SMP to the Comprehensive Plan and other development regulations, specifically the zoning code.
- **Section 5** identifies City staff-recommended amendments for the SMP update.

This document includes several tables that identify potential revision actions. Where potential revision actions are identified (except for staff-recommended amendments), they are classified as follows:

- **“Mandatory”** indicates revisions that are required for consistency with state laws.
- **“Recommended”** indicates revisions that improve consistency with state laws, but are not strictly required.
- **“Optional”** indicates revisions that amend the SMP in accordance with state laws, but that are not required or recommended for consistency with state laws.

2. State Laws, Rules & Implementation Guidance Gap Analysis

The Washington State Department of Ecology’s Periodic Review Checklist helps local jurisdictions identify gaps in consistency with state laws, rules and implementation guidance. A completed version of the Periodic Review Checklist is appended to this document. See Table 1.

Overall, few mandatory revisions are identified, with several more indicated as recommended or optional. In general, the potential revisions identified in the Periodic Review Checklist are minor in nature. They primarily concern revisions to exemptions, definitions, and administrative procedures.

3. Critical Areas Regulations Gap Analysis

The current SMP regulates critical areas in shoreline jurisdiction by referencing a specific, dated version of the citywide critical areas regulations in PAMC Title 15. This version of the critical areas regulations is dated September 15, 2009. Moreover, the SMP includes some additional critical areas provisions that are only applicable within shoreline jurisdiction.

In general, both the SMP critical areas regulations and the citywide critical areas regulations could be updated to be more consistent with current guidance, particularly with respect to wetland regulations. Table 2 of the Periodic Review Checklist summarizes gaps in the SMP related to critical areas regulations in addition to those summarized in Table 1.

4. Comprehensive Plan & Other Development Regulations Gap Analysis

Table 3 of the Periodic Review Checklist summarizes gaps in the relationship of the SMP to the Comprehensive Plan and other development regulations, including PAMC Title 17, Zoning. In general, the review found no major issues or inconsistencies, but did reveal some areas where cross-references and consistency between these documents could be strengthened to improve clarity and application of the SMP.

5. Staff-recommended Amendments

City planning staff have identified additional potential amendments to the SMP. These potential amendments shown in Table 4 of the Periodic Review Checklist. Overall, a primary aim of the amendments is to make the SMP easier to understand and navigate.

SHORELINE MASTER PROGRAM PERIODIC REVIEW

Periodic Review Checklist

This document is intended for use by counties, cities and towns subject to the Shoreline Management Act (SMA) to conduct the “periodic review” of their Shoreline Master Programs (SMPs). This review is intended to keep SMPs current with amendments to state laws or rules, changes to local plans and regulations, and changes to address local circumstances, new information or improved data. The review is required under the SMA at [RCW 90.58.080\(4\)](#). Ecology’s rule outlining procedures for conducting these reviews is at [WAC 173-26-090](#).

This checklist summarizes amendments to state law, rules and applicable updated guidance adopted between 2007 and 2019 that may trigger the need for local SMP amendments during periodic reviews.

How to use this checklist

See the associated *Periodic Review Checklist Guidance* for a description of each item, relevant links, review considerations, and example language.

At the **beginning of the periodic review**, use the review column to document review considerations and determine if local amendments are needed to maintain compliance. See WAC 173-26-090(3)(b)(i).

Ecology recommends reviewing all items on the checklist. Some items on the checklist prior to the local SMP adoption may be relevant.

At the end of your review process, use the checklist as a final summary identifying your final action, indicating where the SMP addresses applicable amended laws, or indicate where no action is needed. See WAC 173-26-090(3)(d)(ii)(D), and WAC 173-26-110(9)(b).

Local governments should coordinate with their assigned [Ecology regional planner](#) for more information on how to use this checklist and conduct the periodic review.

Prepared By	Jurisdiction	Date
Emma Bolin	City of Port Angeles	February 2021

Table 1: Standard Review Items – State Laws, Rules & Implementation Guidance

Row	Summary of change	Review	Action
2019			
a.	OFM adjusted the cost threshold for building freshwater docks	The SMP references WAC 173-27-040 and RCW 90.58.030(3)(e) for exemptions to the requirement for a shoreline substantial development permit (at 7.B.1 and Chapter 6, Definitions) and does not include cost threshold information for building freshwater docks.	No changes necessary.
b.	The Legislature removed the requirement for a shoreline permit for disposal of dredged materials at Dredged Material Management Program sites (<i>applies to 9 jurisdictions</i>)	The SMP currently states “Dredge material disposal according to PSDDA management plan may be allowed with a CUP” (footnote #4 of 2.C.2, Table 1). The current SMP also states “Sites approved through the Puget Sound Dredged Disposal Analysis (PSDDA) Management Plan do not require a conditional use permit when the material has been determined to be ‘suitable’ for open water disposal after testing using PSDDA criteria and procedures” (at 4.B.5.d.4).	<p>Potential action identified: <i>Mandatory:</i> Revise both provisions referenced at left to indicate that no shoreline permit is required for disposal of dredged materials at Dredged Material Management Program sites. Update references to the Dredged Material Management Program as applicable.</p> <p>→ Proposed action: Revised both provisions referenced at left to indicate that no shoreline permit is required for disposal of dredged materials at Dredged Material Management Program sites. Updated references to the Dredged Material Management Program in both provisions.</p>
c.	The Legislature added restoring native kelp, eelgrass beds and native oysters as fish habitat enhancement projects.	The SMP references WAC 173-27-040 and RCW 90.58.030(3)(e) for exemptions to the	No changes necessary.

Row	Summary of change	Review	Action
		requirement for a shoreline substantial development permit (at 7.B.1 and SMP Chapter 6, Definitions).	
2017			
a.	OFM adjusted the cost threshold for substantial development to \$7,047.	The SMP references WAC 173-27-040 and RCW 90.58.030(3)(e) for exemptions to the requirement for a shoreline substantial development permit (at 7.B.1 and SMP Chapter 6, Definitions) and includes a reference to an outdated cost threshold of \$6,416 (at 7.B.1).	<p>Potential action identified: <i>Mandatory:</i> Update cost threshold in SMP, or remove cost threshold information from SMP and rely solely on reference to WAC 173-27-040 and RCW 90.58.030(3)(e) for exemptions.</p> <p>→ Proposed action: Updated cost threshold (at 7.B.1) and provided full summarized list of substantial development exemptions with reference to WAC 173-27-040. Updated Ch. 6 Definition for ‘Substantial Development’.</p>
b.	Ecology permit rules clarified the definition of “development” does not include dismantling or removing structures.	Definition of “Development” (Chapter 6, Definitions) does not clarify that removing structures does not constitute “development.”	<p>Potential action identified: <i>Recommended:</i> Modify the definition of “Development” to be consistent with Ecology’s example definition.</p> <p>→ Proposed action: Modified the definition of “Development” to be consistent with Ecology’s example definition.</p>
c.	Ecology adopted rules clarifying exceptions to local review under the SMA.	The SMP does not address these exceptions.	<p>Potential action identified: <i>Recommended:</i> Add these exceptions to SMP Chapter 7, Administrative Provisions. Ecology has provided example language.</p> <p>→ Proposed action: Added these exceptions at 1.E.1 based on Ecology example language.</p>

Row	Summary of change	Review	Action
d.	Ecology amended rules clarifying permit filing procedures consistent with a 2011 statute.	The SMP includes appropriate language and references in regard to permit processing, timelines, date of filing and appeal periods (at 7.E.2 & .3), but does not include specific guidance on permit filing procedures.	<p>Potential action identified: <i>Recommended:</i> Add clarifying language for permit filing procedures to Section 7.E of the SMP. Ecology has provided example language.</p> <p>→ Proposed action: Added clarifying language for permit filing procedures added at 7.E.2 based on Ecology example language.</p>
e.	Ecology amended forestry use regulations to clarify that forest practices that only involves timber cutting are not SMA “developments” and do not require SDPs.	Forestry uses are prohibited by the current SMP (at 2.C.1, Table 1) and the City does not contain current or future foreseeable forestry within its shoreline jurisdiction.	No changes needed.
f.	Ecology clarified the SMA does not apply to lands under exclusive federal jurisdiction	The SMP maps the U.S. Coast Guard base on Ediz Hook as part of shoreline jurisdiction (High-Intensity Marine Environment) and the base is referenced in several provisions. However, a clear and concise statement about the applicability of the SMP to the base is not included.	<p>Potential action identified: <i>Recommended:</i> Include a clear and concise statement about the applicability of the SMP to the U.S. Coast Guard base.</p> <p>→ Proposed action: Added statement about the applicability of the SMP to the U.S. Coast Guard base (at 1.C.1).</p>
g.	Ecology clarified “default” provisions for nonconforming uses and development .	The SMP contains its own provisions regarding nonconforming uses and development (at 7.F). Staff have identified areas for these provisions to be updated for clarity and consistency with current Ecology guidance. Chapter 6, Definitions, includes a definition of “Nonconforming development,” but does not include definitions of “Nonconforming use” and “Nonconforming lot.”	<p>Potential action identified: <i>Recommended:</i> Update definition for “nonconforming development,” and add definitions for “nonconforming use” and “nonconforming lot” according to Ecology’s example language. Revise nonconforming provisions in 7.F.1 as follows:</p> <ol style="list-style-type: none"> 1. Remove standard 7.F.1.g as it treats uses requiring a CUP no different than a conforming use.

Row	Summary of change	Review	Action
			<p>2. Revise 7.F.1.e to allow two years for repairing damage to nonconforming structures.</p> <p>3. Revise 7.F.1.f to require CUP to re-establish abandoned uses. Add clarity that a water dependent use that is episodically dormant is not considered “discontinued.”</p> <p>→ Proposed action: Updated definition for “nonconforming development,” and added definitions for “nonconforming use” and “nonconforming lot” according to Ecology’s example language. Revised nonconforming provisions in 7.F.1 as above. The introductory language and structure of Section 7.F have been revised to more closely align with the updated definitions for nonconforming lots, uses, and developments.</p>
h.	Ecology adopted rule amendments to clarify the scope and process for conducting periodic reviews .	The SMP includes a section on amendments (7.I), which references RCW 90.58.080(4)(b). Amendments are also mentioned in the context of the duties of the “Appointed Reviewing Body” (at 7.A.2.b), with the SMA and WAC 173-26-090 called out. These SMP sections do not describe the scope and process for conducting periodic reviews. The term “periodic review” does not appear in the SMP.	<p>Potential action identified: <i>Recommended:</i> Provide uniform references to state laws where applicable. Use the term “periodic review” to highlight this important recurring SMP activity.</p> <p>→ Proposed action: Updated section 7.I to use the term “periodic review” and provided additional SMP amendment information. Relocated language regarding amendments from “Appointed Reviewing Body” (at 7.A.2.b)</p>

Row	Summary of change	Review	Action
			to the Planning Commission (at 7.A.3.a).
i.	Ecology adopted a new rule creating an optional SMP amendment process that allows for a shared local/state public comment period.	The SMP includes a section on amendments (7.I), which references RCW 90.58.080(4)(b). Amendments are also mentioned in the context of the duties of the “Appointed Reviewing Body” (at 7.A.2.b), with the SMA and WAC 173-26-090 called out. The SMP does not contain specific amendment process requirements or reference WAC 173-26-104.	No changes needed. SMP amendments process not required to be included in SMP. → Proposed action: Updated section 7.I with additional amendment information, including about the the optional SMP amendment process of WAC 173-26-104. Relocated language regarding amendments from “Appointed Reviewing Body” (at 7.A.2.b) to the Planning Commission (at 7.A.3.a).
j.	Submittal to Ecology of proposed SMP amendments.	The SMP includes a section on amendments (7.I), which references RCW 90.58.080(4)(b). Amendments are also mentioned in the context of the duties of the “Appointed Reviewing Body” (at 7.A.2.b), with the SMA and WAC 173-26-090 called out. These SMP sections do not specifically address the submittal to Ecology of proposed SMP amendments.	No changes needed. Submittal to Ecology of proposed SMP amendments not required to be included in SMP.

2016

a.	The Legislature created a new shoreline permit exemption for retrofitting existing structure to comply with the Americans with Disabilities Act .	The SMP references WAC 173-27-040 and RCW 90.58.030(3)(e) for exemptions to the requirement for a shoreline substantial development permit (at 7.B.1 and SMP Chapter 6, Definitions).	No changes needed.
b.	Ecology updated wetlands critical areas guidance including implementation guidance for the 2014 wetlands rating system.	The SMP does not include the most recent wetland critical areas guidance. The SMP currently references the 2004 wetland rating system (at 3.6.c.1.e). The SMP also	Potential action identified: <i>Mandatory:</i> Update the SMP to reference the 2014 Rating System per the most recent critical areas guidance. Additionally, address this

Row	Summary of change	Review	Action
		<p>includes descriptions of the four wetland categories based on the 2004 system (at 3.6.c.1.f). The most recent wetland rating system approved by Ecology is dated 2014. The City's current critical areas regulations state that the latest version of Ecology's wetland rating system should be used (at 15.24.040.D.3), though the definition of "wetland classes" references the 2004 wetlands rating system (at 15.24.020.FF).</p>	<p>during the next update of the citywide critical areas regulations. The latter approach would provide for more consistent critical areas regulations throughout the City.</p> <p>→ Proposed action: Referenced 2014 Rating System at 3.6.c.1.e.</p>
2015			
a.	<p>The Legislature adopted a 90-day target for local review of Washington State Department of Transportation (WSDOT) projects.</p>	<p>Not applicable. The City does not have WSDOT transportation facilities in shoreline jurisdiction.</p>	<p>No changes needed.</p>
2014			
a.	<p>The Legislature created a new definition and policy for floating on-water residences legally established before 7/1/2014.</p>	<p>Not applicable. The City does not have any floating on-water residences, nor does the SMP allow them (at 5.B.8.c.2).</p>	<p>Potential action identified: <i>Optional:</i> Specifically reference the term "floating on-water residence" for consistency with the terminology in state law (at WAC 173-26-020(18)).</p> <p>→ Proposed action: Revised 5.B.8.c.2 to include the term "floating on-water residence."</p>
2012			
a.	<p>The Legislature amended the SMA to clarify SMP appeal procedures.</p>	<p>SMP does not contain specific steps or language for appealing amendments.</p>	<p>No changes needed. SMP appeals procedures are not required to be included in SMP.</p>
2011			
a.	<p>Ecology adopted a rule requiring that wetlands be delineated in accordance with the approved</p>	<p>The SMP references the appropriate approved federal wetland delineation manual for application within</p>	<p>Potential action identified: <i>Optional:</i> For additional clarity, update the wetland delineation language in the</p>

Row	Summary of change	Review	Action
	federal wetland delineation manual.	shoreline jurisdiction (at 3.6.c.1.a and Chapter 6, Definitions, “wetland delineation”).	SMP (at 3.6.c.1.a and Chapter 6, Definitions) to better match the language in WAC 173-22-035. → Proposed action: SMP to rely on wetland delineation language in shoreline critical areas regulations at 15.40.24.C. Clarified valid period for wetland delineations at 3.6.c.1.d consistent with Ecology guidance.
b.	Ecology adopted rules for new commercial geoduck aquaculture.	SMP includes provisions for commercial geoduck aquaculture (at 5.B.2) that generally appear consistent with Ecology guidelines.	No changes needed.
c.	The Legislature created a new definition and policy for floating homes permitted or legally established prior to January 1, 2011.	Not applicable. The City does not have any floating homes, nor does the SMP allow them (at 5.B.8.c.2).	Potential action identified: <i>Optional:</i> Specifically reference the term “floating home” for consistency with the terminology in state law (at WAC 173-26-020(17)). → Proposed action: Revised 5.B.8.c.2 to include the term “floating home.”
d.	The Legislature authorizing a new option to classify existing structures as conforming.	SMP does not classify existing structures as conforming. City not required to include this optional provision.	No changes needed.

2010

a.	The Legislature adopted Growth Management Act – Shoreline Management Act clarifications.	The SMP (at 7.I) addresses SMP amendments but does not address the effective date, which is now 14 days from Ecology’s written notice of final action. The SMP regulates critical areas in shoreline jurisdiction by reference to a specific, dated critical areas ordinance (CAO). The SMP currently adopts by reference (at 3.3.c) the critical	Potential action identified: <i>Mandatory:</i> In the updated SMP, reference the most recent critical areas regulations, and include as an appendix. → Proposed action: Added applicable critical areas regulations as Appendix B and revised incorporation
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Row	Summary of change	Review	Action
		<p>areas regulations contained in PAMC Title 15 as of September 15, 2009 (at 3.3.a). An apparently erroneous reference in the SMP (at 1.E.2) references the regulations as adopted on March 17, 2006. The City has since updated its critical areas regulations, such that the critical areas regulations in the SMP are inconsistent with those that apply elsewhere in the City. Modifications and exclusions for implementation of the CAO within shoreline jurisdiction are included in the SMP at 1.E.2, 3.3.a, 3.3.c, 3.5.c, and 3.6.</p>	<p>language (at 1.E.2, 3.3.a, and 3.3.c).</p> <p>Potential action identified: <i>Optional:</i> Indicate in the SMP that the effective date of SMP amendments is 14 days from Ecology’s written notice of final action.</p> <p>→ Proposed action: Indicated effective date of SMP amendments at 7.I.c.</p>
2009			
a.	<p>The Legislature created new “relief” procedures for instances in which a shoreline restoration project within a UGA creates a shift in Ordinary High Water Mark.</p>	<p>SMP includes reference to RCW 90.58.580 in general policies (at 3.1.b.1, .2 & .3), but does not include regulatory criteria for relief or reference to WAC 173-27-215.</p>	<p>No changes needed. The referenced relief procedures apply regardless of inclusion in the SMP, and are clearly supported by the SMP’s references to RCW 90.58.580.</p> <p>Potential action identified: <i>Optional:</i> Modify language with direct reference to criteria in WAC 173-27-215.</p> <p>→ Proposed action: Modified language at 3.1.b.1, .2 & .3 to reference WAC 173-27-215.</p>
b.	<p>Ecology adopted a rule for certifying wetland mitigation banks.</p>	<p>Neither the SMP (at 3.6) nor the CAO (at PAMC 15.24) address the use of certified mitigation banks for wetland mitigation.</p>	<p>Potential action identified: <i>Recommended:</i> Add language allowing the use of certified mitigation banks for wetland mitigation. Ecology has provided example language. Alternatively, address this during the next update of the citywide critical areas regulations. The latter approach would provide for</p>

Row	Summary of change	Review	Action
			<p>more consistent critical areas regulations throughout the City.</p> <p>→ Proposed action: Address during the next update of the citywide critical areas regulations.</p>
c.	The Legislature added moratoria authority and procedures to the SMA.	SMP does not reference moratoria authority.	No changes needed. City can rely on statute for moratoria authority and procedures.
2007			
a.	The Legislature clarified options for defining “floodway” as either the area that has been established in FEMA maps, or the floodway criteria set in the SMA.	SMP Chapter 6 definition of “floodway” uses the floodway criteria set in the SMA.	<p>Potential action identified: <i>Recommended:</i> If the City would use FEMA maps to determine the presence of floodways, update the definition of “floodway” to reference the area that has been established in FEMA maps. Ecology has provided example language.</p> <p>→ Proposed action: Definition of “floodway” updated to reference the area that has been established in FEMA maps.</p>
b.	Ecology amended rules to clarify that comprehensively updated SMPs shall include a list and map of streams and lakes that are in shoreline jurisdiction.	List and map included in SMP (at 1.C).	No changes necessary.
c.	Ecology’s rule listing statutory exemptions from the requirement for an SDP was amended to include fish habitat enhancement projects that conform to the provisions of RCW 77.55.181.	The SMP references WAC 173-27-040 and RCW 90.58.030(3)(e) for exemptions to the requirement for a shoreline substantial development permit (at 7.B.1 and SMP Chapter 6, Definitions).	No changes necessary.

Table 2: Additional Review Items – Critical Areas Regulations

No.	Topic	Review	Action
1	Wetlands	The current SMP includes several wetland provisions that are not fully consistent with recent Ecology guidance.	<p>Potential action identified: <i>Mandatory:</i> Revise wetland provisions in the SMP critical area regulations to be consistent with current Ecology guidance.</p> <p>→ Proposed action: Revised wetland provisions at 3.6.</p>
2	Definitions	<p>The relationship between the definitions in the citywide critical areas regulations (PAMC Title 15) and the SMP (Chapter 6) could be made more explicit. There are some inconsistencies between definitions, which may cause confusion for SMP users. The following definitions are inconsistent between the two sets of regulations:</p> <ul style="list-style-type: none"> • Critical areas • Development • Erosion • Priority habitat <p>The differences in definitions are predominantly minor, and not expected to be consequential, but greater consistency could improve clarity.</p>	<p>Potential action identified: <i>Recommended:</i> Consider syncing the definitions in the SMP and the citywide critical areas regulations for greater clarity and consistency between the two sets of regulations. Alternatively, to improve clarity without altering definitions, introduce SMP Chapter 6 with text to clarify that in the event of a conflict in definitions, the definitions provided in the SMP shall apply.</p> <p>→ Proposed action: Added introductory text to Chapter 6 to address potential conflicts in definitions. Removed wetland definition, which is provided in Appendix B to remove conflicts.</p>

Table 3: Additional Review Items – Comprehensive Plan & Other Development Regulations

No.	Topic	Review	Action
1	Shoreline element of Comprehensive Plan	Under state law, the goals and policies of a SMP are considered an element of a jurisdiction's comprehensive plan. The SMP indicates that its policies constitute the shoreline element of the City's Comprehensive Plan (at 1.E.2). While Chapter 7, Conservation, of the Comprehensive Plan includes a discussion of the SMP, as well as a goal (G-7D) and associated policies related to implementing the SMA and SMP, it does not explicitly establish the policies of the SMP as an element of the plan.	<p>Potential action identified: <i>Recommended:</i> During the next update of the Comprehensive Plan, explicitly indicate in the plan that the goals and policies in the SMP constitute the shoreline element of the Comprehensive Plan. For example, such text might be included in Chapter 1, under Organization & Requirements of the Comprehensive Plan.</p> <p>→ Proposed action: Address during the next update of the comprehensive plan.</p>
2	Definitions in SMP and zoning code	The relationship between the definitions in the zoning code (at 17.08) and the SMP (Chapter 6) could be made more explicit.	<p>Potential action identified: <i>Recommended:</i> Consider syncing the definitions in the SMP and zoning code</p>

No.	Topic	Review	Action
		<p>There are some inconsistencies between definitions, which may cause confusion for SMP users. The following definitions are substantively inconsistent between the two sets of regulations:</p> <ul style="list-style-type: none"> • Critical area/Environmentally sensitive area • Multi-family • Nonconforming development/use/lot/structure <p>Additional inconsistencies exist, though the differences in definitions are predominantly minor and not expected to be consequential. Some differences in definitions, such as for nonconforming development, may be appropriate, though greater clarity on the applicability of either definition may be helpful.</p>	<p>for greater clarity and consistency between the two sets of regulations. Alternatively, to improve clarity without altering definitions, introduce SMP Chapter 6 with text to clarify that in the event of a conflict in definitions, the definitions provided in the SMP shall apply.</p> <p>→ Proposed action: Added introductory text to Chapter 6 to address potential conflicts in definitions.</p>

Table 4: Additional Review Items – Staff-recommended Amendments

No.	Location	Citation	Issue Identified	Recommended Solution and Rationale
1	PAMC 15.08	General	The majority of Chapter 15.08 contains provisions that are repetitive or even contradictory to the SMP in 15.08.040. E.g. appeals go to the Shoreline Hearings Board—not City Council.	<p>Repeal the majority of the sections in Ch 15.08 (except .040) and merge appropriate provisions into the SMP. Perhaps .040 could be repealed too if Ch 15 refers to the SMP by reference.</p> <p>→ Proposed action: Relevant provisions from PAMC 15.08 merged into SMP, with the rest removed. Added new draft text to beginning of PAMC 15.08.</p>
2	Throughout	General	Need better hyperlinked wayfinding in the doc.	<p>TOC for each section? Back to TOC link?</p> <p>→ Proposed action: Added fully hyperlinked TOC, including appendices, as well as lists of tables and figures. Added “Return to TOC” to footers.</p>
3	Chapter 2	Environmental Designation Provisions & Regulations	The text for each Segment isn't clearly identified with it's own heading. E.g. Segment L and O are difficult to attribute text to it's respective segment. This is because the	<p>Create subheadings for each segment under part d for each SED.</p> <p>→ Proposed action: Added sub-headings for each SED segment discussed in Chapter 2.</p>

No.	Location	Citation	Issue Identified	Recommended Solution and Rationale
			heading is embedded in the map.	
4	Chapter 2	Environmental Designation Provisions & Regulations	Introduction needs a large map with all segments identified with page numbers.	Staff audited and corrected SMP Segment Maps to correct parcel #'s, GIS Object ID's and drawings that show where reaches should be split to be consistent with the Cumulative Impacts Analysis. s → Proposed action: The GIS SED layer was updated and each Shoreline Environmental Designation map was revised with new graphic elements. A hyperlink in Ch 2 connects readers to Appendix A where the shoreline maps are located. The text includes a replaced reference map with link to Appendix A with the updated geography/map graphic style.
5	Chapter 2	Environmental Designation Provisions & Regulations	Segments are disorganized	Staff audited and corrected SMP Segment Maps to correct parcel #'s, GIS Object ID's and drawings that show where reaches should be split to be consistent with the Cumulative Impacts Analysis. → Proposed action: The GIS SED layer was updated and each Shoreline Environmental Designation map was revised with new graphic elements. A hyperlink in Ch 2 connects readers to Appendix A where the shoreline maps are located. The text includes a replaced reference map with link to Appendix A with the updated geography/map graphic style.
6	2.B.1.c.3	Physical and visual access	Need to be clear this section is talking about physical and visual access <i>to and from the water</i>	Add clarifying language → Proposed action: Revised provision to read: "Visual and physical public access <i>to and from the shoreline</i> should be required..." [emphasis added].
7	Chapter 2	Vegetation Conservation Areas	The text for the VCA's for each segment is confusing due to how the maps are inlaid with the text.	The text for the VCA segment needs to be clearly distinguished from the others. The map can be at the end of each segment and provide a caption. This helps the

No.	Location	Citation	Issue Identified	Recommended Solution and Rationale
				<p>reader track what maps goes with which text.</p> <p>→ Proposed action: Added sub-headings for each SED segment discussed in Chapter 2. A hyperlink in Ch 2 will connect readers to Appendix A where the shoreline maps will be located.</p>
8	3.3.c.2	Critical Areas (General)	There's an instance in Ch3 Section 3 of the SMP that describes reasonable use exceptions that are not applicable within shoreline jurisdiction without a variance. However, this wording is awkward and needs to be cleaned up for clarity.	<p>Need more straightforward language. It also needs to be more general as the ESA sections could change.</p> <p>→ Proposed action: Removed references to specific sections, such that this provision is now more general and excludes “reasonable use exceptions” and “provisions related to nonconforming activities” from shoreline jurisdiction.</p>
9	7.A.2	Administrative Provisions	Appointed Reviewing Body is out of date	<p>Can change title to Hearing Examiner and remove footnote.</p> <p>→ Proposed action: Retitled 7.A.2 “Hearing Examiner,” added a “Planning Commission” section as 7.A.3, and relocated provision related to periodic review and recommendation to Council to this section. Also revised references to “Appointed Reviewing Body” throughout document.</p>
10	Chapter 7	Permit Application	The application process includes a JARPA and SEPA checklist at a minimum; however, these are not always required e.g. upland projects, SEPA-exemption etc.	<p>→ Proposed action: Added language providing the Shoreline Administrator authority to determine when a JARPA or SEPA checklist are required in 7.E.1.a.</p>
11	Appendix A		Maps need to identify more context e.g. street names, satellite overlay.	<p>Overview map needs to be broken in two and provide more detailed info and a legend. There is a lot we can do to make this map more useful AND attractive. Consider it being digital, and the power of linking things from it.</p> <p>→ Proposed action: Staff has prepared Segment maps showing</p>

No.	Location	Citation	Issue Identified	Recommended Solution and Rationale
				<p>graphic changes to include cross-hatching symbology, legend, inset location map, contours, streets, aerial satellite, and Shoreline Environmental Designation (SED) identification. The increased context provided by these maps provide more clarity on how the SMP is used.</p>
12	Appendices		<p>Appendices B–D are not necessary to include in the SMP. Appendix E needs to be updated.</p>	<p>Appendices B–D should be removed from the SMP. Appendix E should be updated to include the most current critical areas regulations. They are referenced online but not in this doc.</p> <p>→ Proposed action: Appendices B, C, and D have been removed from the SMP. Former Appendix E has been updated to reference the most current critical areas regulations and re-named Appendix B. The TOC has been updated to include the appendices. Revisions also made to eliminate reference to appendices other than the shoreline maps and critical areas regulations.</p>
13	Appendix A		<p>The maps and the descriptions in Appendix A include lots that have updated parcel numbers. Some of the Shoreline Environmental Designations depicted contain the wrong shoreline reaches as described in Table 4 of Appendix C (Cumulative Impacts Analysis)</p>	<p>Staff audited and corrected SMP Segment Maps to correct parcel #'s, GIS Object ID's and drawings that show where reaches should be split to be consistent with the Cumulative Impacts Analysis.</p> <p>→ Proposed action: The GIS SED layer was updated and each Shoreline Environmental Designation map was revised with new graphic elements. A hyperlink in Ch 2 connects readers to Appendix A where the shoreline maps are located. The text includes a replaced reference map with link to Appendix A with the updated geography/map graphic style.</p>
14	7.F.1.d	Nonconforming Uses, Lots and Developments	<p>Non-conforming structure damage replacement limited to assessed value which does not reflect construction costs</p>	<p>→ Proposed action: Added language at 7.F.1.d limiting replacement of damaged nonconforming structures to no</p>

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			and is inconsistent with Ch. 17.95.040.B provisions for replacing destroyed nonconforming structures.	more than 75 percent of its replacement cost at time of destruction.
15	3.1.c.5	General Policies and Regulations	Current language relating to pesticide transparency omits quantity and city indemnification.	→ Proposed action: Added pesticide transparency language at 3.1.c.5 requiring reporting of pesticide quantity and indemnify city for any liability resulting from use.
16	2.7.d	Environment-Specific Development Regulations Designated SR – Segment B Vegetated Conservation Area	Segment B Conservation Area language error that is inconsistent with Segments F and N.	→ Proposed action: Revised from “edge of the bluff” to “top of bluff” to be consistent with Segment F and N.
17	3.12.c.3	Vegetation Conservation	Need option to compost removed plants in place where feasible and appropriate.	→ Proposed action: Added language at 3.12.c.3 providing option to take removed plant material away from the site to discard or to compost in place where appropriate.
18	Throughout	General	His/her repeatedly used in SMP	→ Proposed action: Replaced gender language with “their” as appropriate.
19	2.B.4.d.i	Segment L	Landing Mall has changed to ‘The Wharf’	→ Proposed action: Update made in 2.B.4.d.i
20	2.4.d.ii and throughout	Segment O – former Rayonier Mill	References to former Rayonier Mill Site are outdated since it was abandoned in 1997. The indigenous name for the site by the Elwha S’Klallam people, “Ennis Creek,” should be used as a step towards improving diversity, equity, inclusion & respect.	→ Proposed action: Update made in 2.4.d.ii introducing the Elwha S’Klallam term for the site and changes throughout the text for consistency.
21	Throughout		Typos and scrivener errors, and excessive verbs	→ Proposed action: General revisions correcting typos/scrivener errors and compound passive verbs where appropriate to improve clarity.