

# SMP Update

## Planning Commission Workshop



1. Project Review
2. Proposed Regulations
3. Group Discussion of Topics

# Project Review

- Code only impacts new development or home additions
  - Maintenance does not require compliance
  - No Net Loss is measured from the date of code adoption



# The Path To Code Creation

- Review of the existing SMP, other jurisdictions, and Ecology guidelines
- Draft code is reviewed by:
  - Citizen Advisory Group
    - Attachment II outlines their discussion
  - Planning Commission
  - Technical Advisory Committee
    - Agencies with shoreline expertise



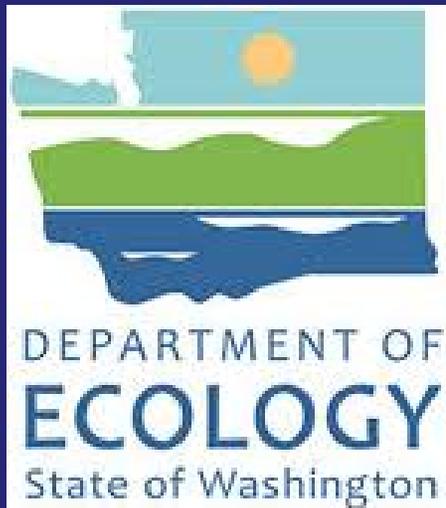
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# Authority and Purpose

- **Very similar language as other jurisdictions.**
- **Outlines the connection of the local SMP to the State regulations.**



# Administration

- Permit processing for the shoreline jurisdiction only.
  - Finding a balance between ease to the reader and duplicating text.
  - Section relies on existing State and local code.
  - State Exemptions are duplicated.



# Overview of Nonconformities

## What is a nonconformity?

- Something that was built in compliance, but does not comply anymore.
- Code protects property owners from undue hardship.
  - Maintenance and repair is encouraged
  - Expansions are allowed
  - Rebuilding from fire damage is allowed



# Overview of Nonconformities

Eventual compliance – but not until the “natural life” of the structure or use has ended.



# Nonconforming Uses

Focuses on the use of the property

Discontinuation:  
Use can continue until building has been vacant for 1 year or more.



# Illegal Uses



# Nonconforming Structures

- Focuses on the structure and dimensional standards.
  - Setbacks, height, lot coverage, buffers
- Discontinuation:  
Replacement of 75%  
or more of the  
structure.



# Natural Disaster

- You can rebuild!
  - Need a building permit application filed within 1 year of casualty.
  - Building can be in the same location as original



# Nonconforming in the Shoreline

- Match SMP to existing City-Wide provisions as much as possible
- Added language about No Net Loss
- Revised the 75% rule for clarity
- Added provisions relating to vegetation enhancement



# 75% Rule

- 75% of Assessed or appraised value
- 75% of the structural components



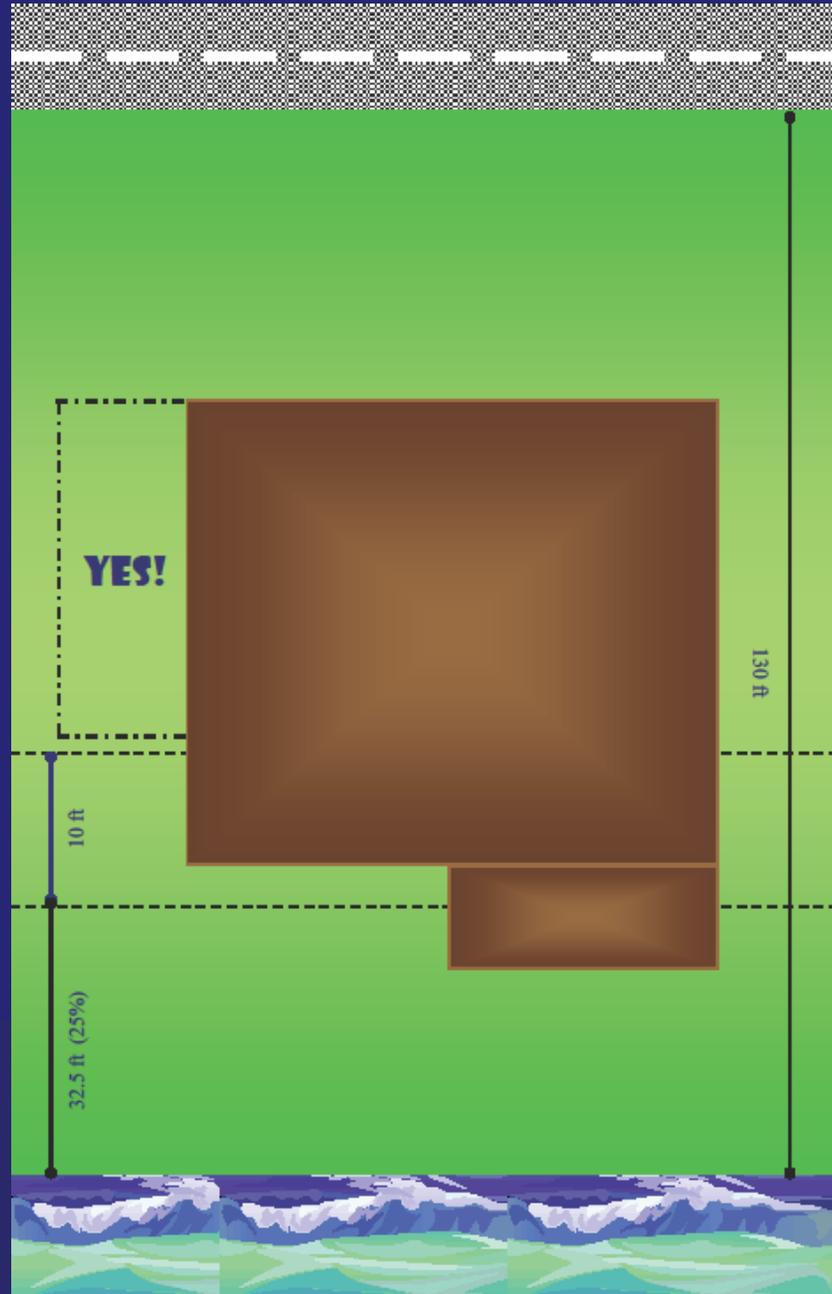
# Vegetation Enhancement

- Most existing shoreline development does not comply with proposed vegetation requirements.
- Need a new section to protect homeowners from undue hardship.
- When should increased vegetation be required?
  - Large additions to existing structures?
  - Small additions to existing structures?
  - Should additions be permitted in the buffer?



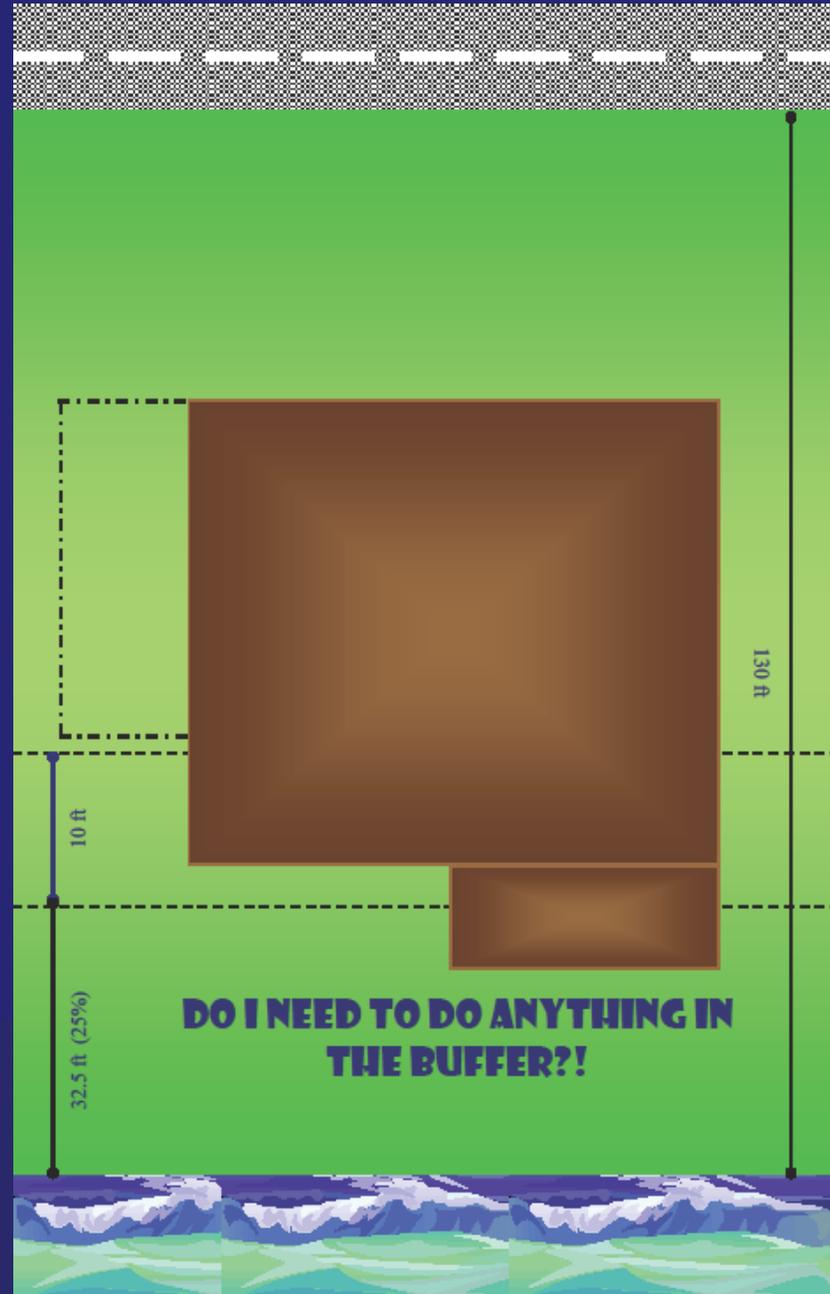
# Vegetation Enhancement

- Small expansions
  - 500 square feet or less are exempt from new vegetation requirements.



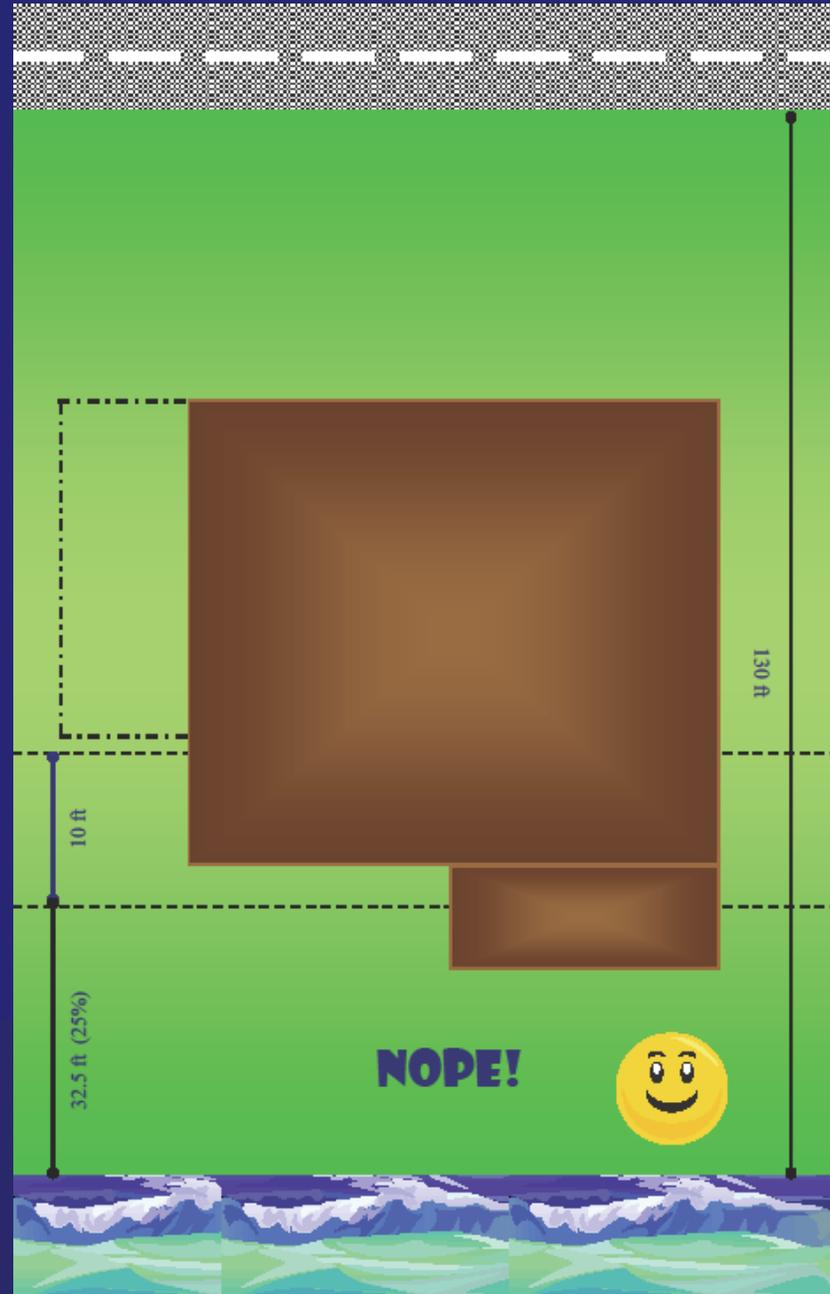
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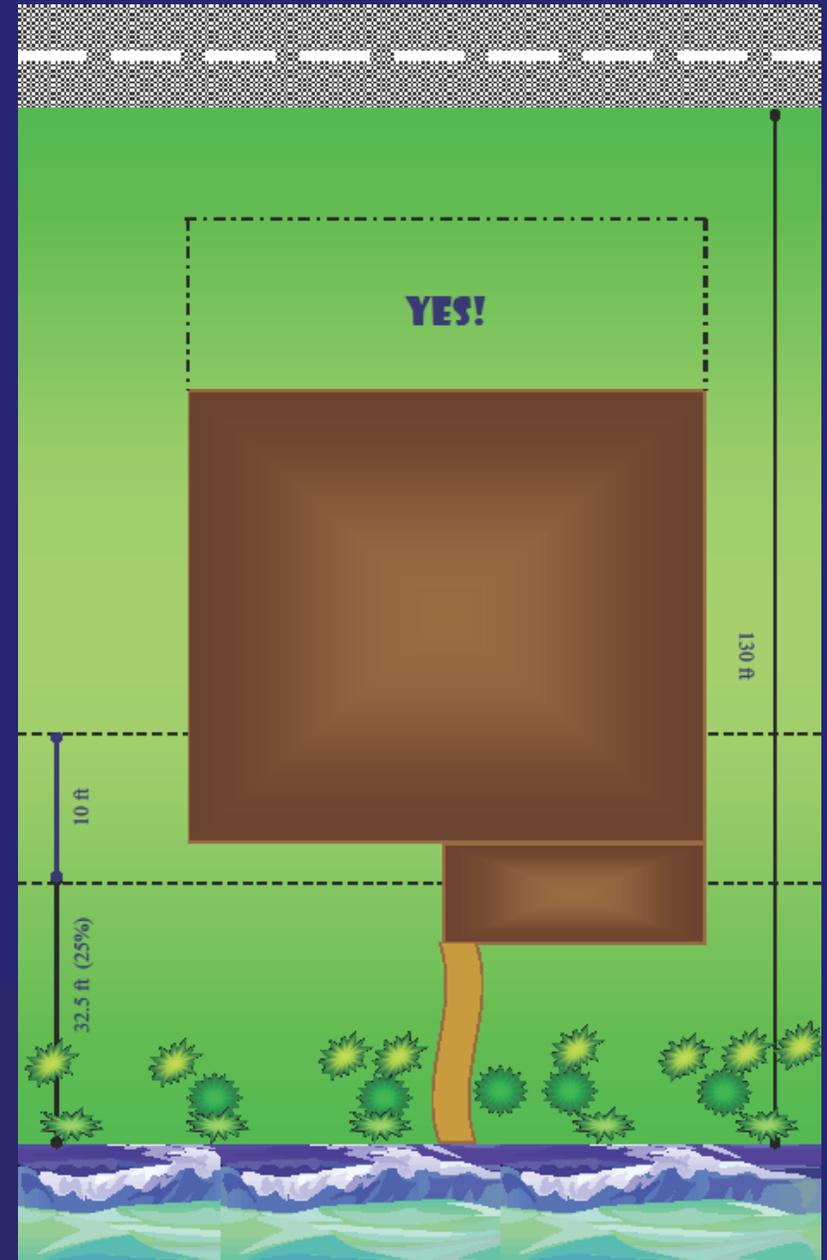
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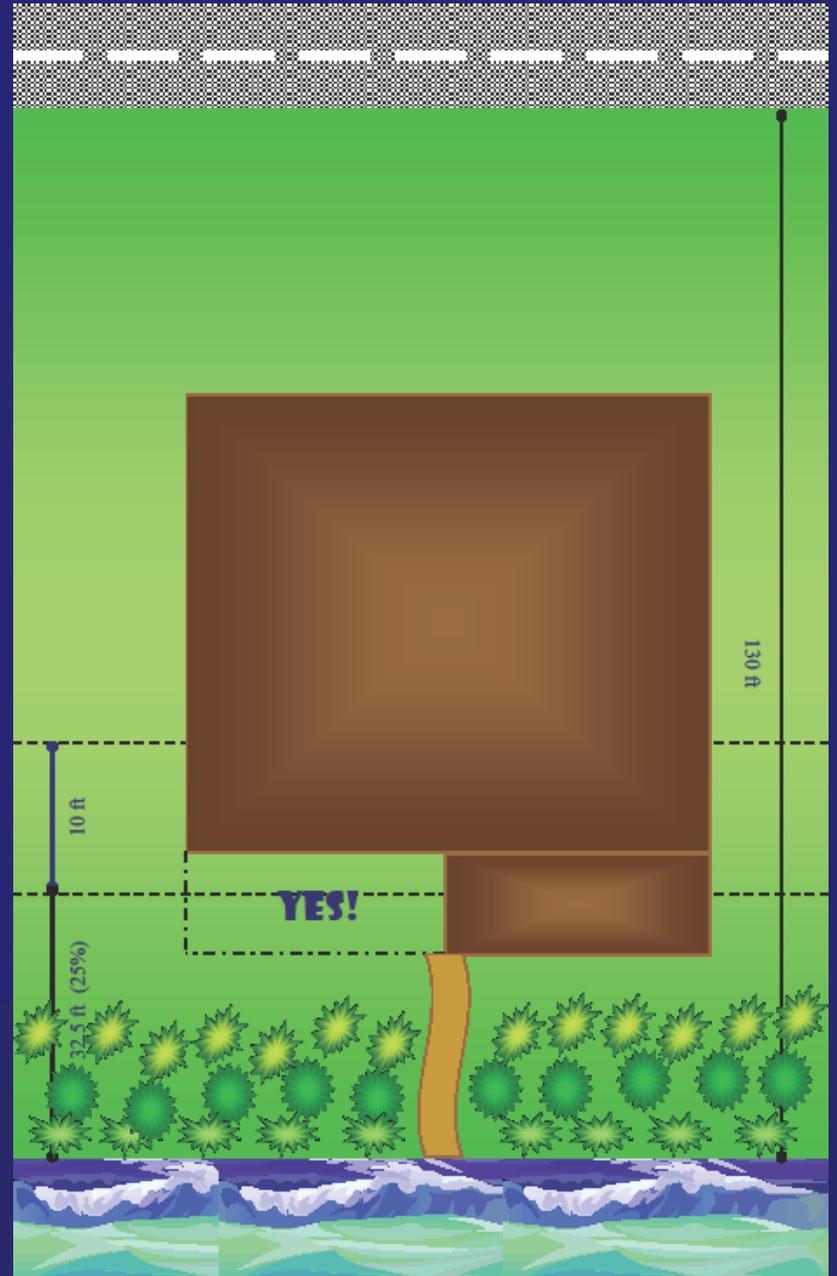
# Large Expansions (over 500sf)

- New impervious surface
  - Added stormwater impacts are offset by increased plantings
- Enhancement is required
  - 25% of the buffers width
  - Minimum of 10 feet



# Expansion in Buffer

- Enhancement is required
  - Expansion would only be allowed to the existing foundation line
  - Maximum size – 250 square feet
  - 50% of buffer or half the distance between the structure and shoreline would be required for planting



# Nonconformities Summary

- Goal to protect property owners from undue hardship
- Goal of eventual compliance
- Maintenance and repair is encouraged
- Expansion is allowed
- Fire damage can be replaced
- Loans are available



# Scheduling

- November 15, 2011 – Workshop:
  - Definitions
  - Public Access Plan
  - Restoration Plan
- January 2012 – Workshop:
  - Discussion of Code Revisions
- February 2012 – Open House / Public Hearing



# Workshop Questions:

1. Should the State exemptions be included in the Bremerton SMP for readers ease?
2. Do you think that the nonconforming regulations within the shoreline should be as similar as possible to the citywide nonconforming regulations?
3. Do you think the language relating to the 75% rule is clear?
4. Should minor expansions of nonconforming structures (500 square feet or less) be exempt from new vegetation requirements?
5. What do you think about requiring 25% improvement to the buffer for additions outside the setback/buffer? How about the 10' minimum?
6. Do you think additions should be permitted within the buffer/setback? Is 250 square feet an appropriate limit?