

## Highlights of Proposed Amendments to the SMP

In general these amendments provide relief from some of the administrative and financial burdens for single family home owner projects of little to no shoreline impact, while still affording significant protections overall through 100 -150 foot buffers and a building area of 2500 square feet on non-conforming lots. Clarifying language was added to better distinguish non-conforming uses, structures, and lots. The amendments hold tight to the “side boards” discussed by the Committee following public comment in September 2008.

1. **Damage to SFR on a nonconforming lot from natural causes.** The changes clarify the intent to allow for the repair or replacement of a single family residence unless there is a life and safety issue. The modified code refers to the definition of “hazardous areas.” Additional clarity as to what needs to be commenced within 18 months was added. The change also distinguishes residential uses from other uses.
2. **Review of 2500’ sqft allowance and the non-conforming section.** For new development, the 2500 square feet allowance for single family residences without a variance was retained. Clarification that impacted road and sideyard setback do not count toward the 2500 sqft building area was added. The 2500 sqft limit is consistent with Water Resource Protection Overlay Districts that apply on many shoreline lakes, ie. Lake Whatcom and Lake Samish. **Building within the buffer has required a variance in previous Shoreline Programs, this is an allowance that is new to Whatcom County.**

On existing residential development, amendments make it less onerous for landowners to remodel, by foregoing the conditional use permit or variance process. This allows for **minor projects that add less than 250 sqft of the home on previously impacted surfaces.** Expansions of 250 – 500 sqft would only be allowed with mitigation of an equivalent area. Any proposal greater than 500 sqft or with view impacts or on pervious surfaces would require a conditional use permit. This would be allowed once every 7 years without a conditional use permit.

3. **In the Cherry Point Management Area** section, language was added to reflect the importance of water dependent uses in the SMA
4. **Recommended changing Flood Control Works** back to substantial Development Permit, Ecology change to CUP. Little basis for this and would add somewhat to permit time.
5. **Definitions:**
  - Change bedlands definition back, but added language on to address bedlands on rivers and streams where a federal line of navigability has not been established.
  - To the definition of development we suggest adding “binding site plans” as another example of what constitutes development.