

APPENDIX A: SHORELINE MASTER PROGRAM UPDATE BACKGROUND

A.1 History and Requirements of the Shoreline Management Act

Washington's **Shoreline Management Act** (SMA), passed by the Legislature in 1971 and adopted by the public in a 1972 referendum, provides guidance for the development of locally adopted Shoreline Master Programs.

The primary goal of the SMA is to “prevent the inherent harm in an uncoordinated and piecemeal development of the state’s shorelines.” The area within Beaux Arts that is subject to the SMA includes the Lake Washington shoreline and land areas (“shorelands”) that extend 200 feet from the Lake Washington edge of the water, including any biological wetlands associated with either the lake or the shorelands. These areas are collectively referred to as the “shoreline jurisdiction.”

The SMA establishes a broad policy giving preferences to uses that:

- **Encourage water-dependent uses:** "uses shall be preferred which are consistent with control of pollution and prevention of damage to the natural environment, or are unique to or dependent upon use of the states' shorelines..."
- **Protect shoreline natural resources,** including "...the land and its vegetation and wildlife, and the water of the state and their aquatic life..."
- **Promote public access:** “the public’s opportunity to enjoy the physical and aesthetic qualities of natural shorelines of the state shall be preserved to the greatest extent feasible consistent with the overall best interest of the state and the people generally.”

The SMA establishes a balance of authority between local and state government. Under the SMA, Beaux Arts is required to adopt a Shoreline Master Program (“Program”) that is based on state guidelines but tailored to the specific needs of the community. The program represents a comprehensive vision of how shoreline areas will be used and developed over time. It is essentially a shoreline-specific combined comprehensive plan, zoning ordinance, and development permit system.

Under the SMA, the town is responsible for the following:

- Development of an **inventory** of the natural characteristics and land use patterns along shorelines covered by the act.
- Preparation of a "**Master Program**" to determine the future of the shorelines.
- Development of a **permit system** to further the goals and policies of both the act and the local Master Plan.

- Development of a **Restoration Plan** (Appendix C) that includes goals, policies and actions for restoration of impaired shoreline ecological functions.

A.2 Master Program Development and Public Participation

Beaux Arts' original Shoreline Master Program was adopted in 1973 (Ordinance 89) in compliance with the SMA. The 2011 Update of the Program has been developed through an extensive Public Participation Outreach Program, conducted by the Town's Planning Commission.

Public participation has been essential to the development of the Program. Both the SMA and Ecology's procedural rules and guidelines require public participation. The SMA states the local government and Ecology shall "not only invite but actively encourage participation" in SMP development (*RCW 90.58.130*). The procedural rules require local governments to "make all reasonable efforts to inform, fully involve and encourage participation" of interested persons, private entities and local, state and federal agencies (WAC 173-26-090). The Guidelines repeat these mandates, specifically requiring communication with state agencies and affected Indian tribes. (WAC 173-26- 201(3)(b)).

To initiate the data gathering that was required for the preparation of the Shoreline Inventory, the Town canvassed dozens of local organizations, as well as government agencies, to collect available information. Recipients of the request were invited to participate in the development of the SMP.

In October 2010, the Town Planning Commission hosted a "Shoreline Open House" to present the results of the Shoreline Inventory and to invite the community to participate in a "Visioning Workshop" in order to provide direction for the goals, policies, and regulations of the SMP. Town residents were joined by a representative of the Department of Ecology. The general consensus of those present was that the existing shoreline rules had allowed for the development of the unique water-oriented recreational community that is Beaux Arts Village, and such rules and development regulations should be retained.

