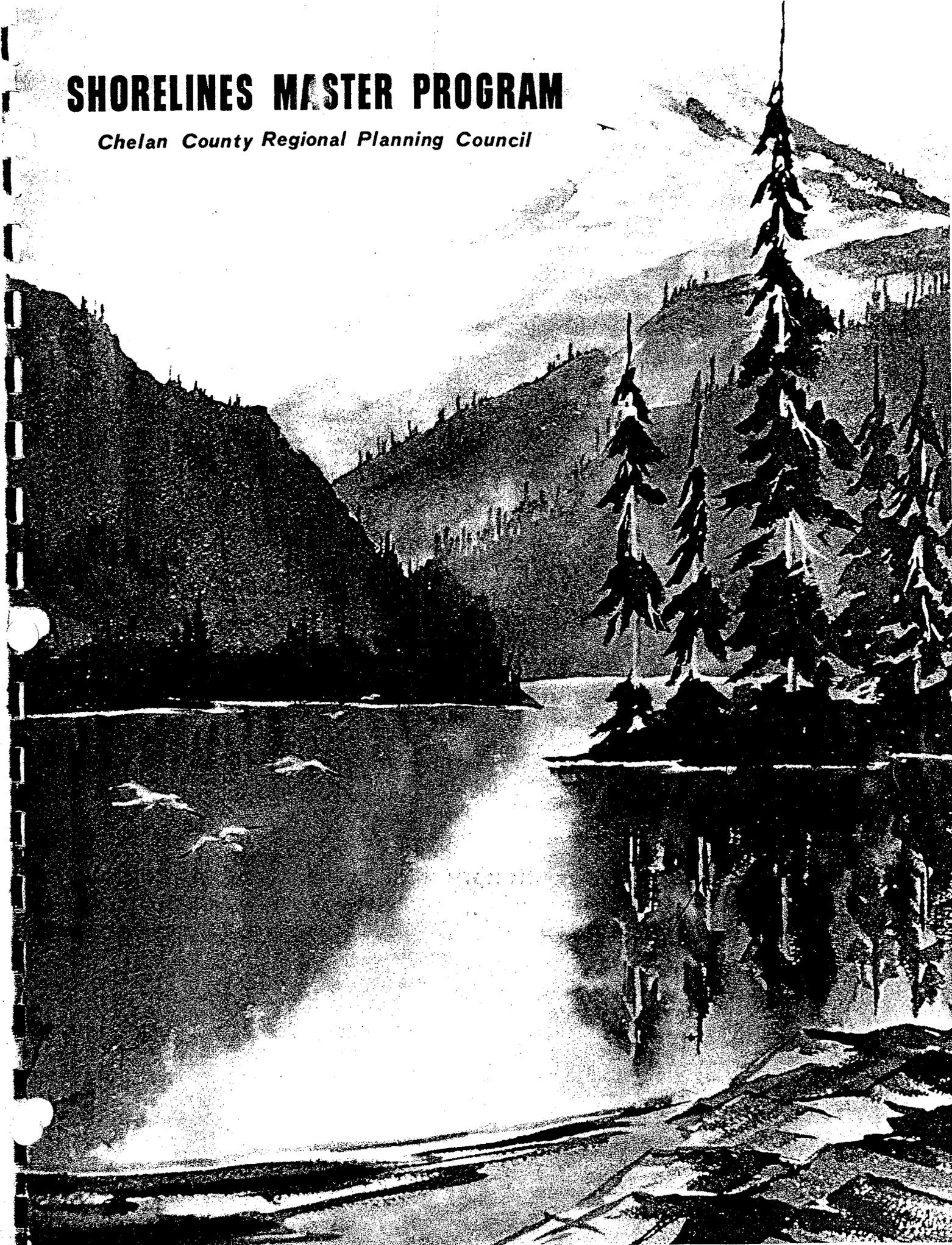


SHORELINES MASTER PROGRAM

Chelan County Regional Planning Council



CHELAN COUNTY REGIONAL PLANNING COUNCIL

Jack C. Grover, Chairman - Mayor of Wenatchee
Fred W. Nierman, past Vice Chairman - Chairman of Co. Commissioners
(to 1/13/75)
David H. Davis, present Vice Chairman - Chelan County Commissioner
James L. Young - Chelan County Commissioner (from 1/13/75)
David F. Caldwell - Wenatchee City Commissioner
Don Isenhart - Chelan County Port Commissioner
Robert O. Keiser - Chelan County P.U.D. Commissioner
Richard E. Braun - Cashmere City Councilman (to Jan. 14, 1975)
Charles Bowen - Mayor of Leavenworth (from 1/14/75)
Phillip Goodall - Mayor of Chelan (from 4/1/75)

SHORELINES CITIZEN'S ADVISORY COMMITTEE

Dr. Paul Larsen, Chairman
W.S.U. Tree Fruit Research Center
Wenatchee

George Krakowka, M.D.
Wenatchee Valley Clinic
Wenatchee

Dan Campbell, Vice Chairman
Owner, Tourist Accommodations
Chelan

Mrs. Alan Kronschnabel
Realtor
Chelan

Tom Beemer
Wildlife Photographer
Leavenworth

Ted Price
Business and Real Estate
Leavenworth

Hubert Burnett
Orchardist
Chelan

Rollie Schmitt
Peshastin Forest Products
Cashmere

Bill DeGrasse
Pybus Steel Co.
Wenatchee

Warren Scott
Geology Dept., W.V. College
Wenatchee

Jim Goodfellow
Contractor - Goodfellow Bros.
Wenatchee

Mrs. Richard Watson
Artist
Chelan

Robert Hensel
Attorney
Chelan

Maurice Westberg
Tree Top Inc.
Cashmere

PLANNING STAFF PARTICIPATING IN PROGRAM

Edward C. Loidhamer, Director of Planning
Dean F. Blount, Senior Planner - Project Planner
Michael J. Cecka, Associate Planner
Roger L. Purdom, Assistant Planner
Robert A. Hughes, Assistant Planner
Ray Provo, Jr., Planning Aide
Lou Babst, Secretary
Joyce Anderson, Stenographer

Cover Watercolor - Courtesy of Joanne Watson



April 22, 1975

Mr. Harry Harn, Chairman
Chelan County Commissioners
County Courthouse
Wenatchee, Washington 98801

Dear Commissioner Harn:

You will be pleased to know the Department of Ecology has completed review of Chelan County's revised Master Program. This letter constitutes formal approval of the Master Program, effective today. The approval applies to the final draft program dated May 1, 1974, as amended by letters from Chelan County Regional Planning of October 29, 1974, and April 3, 1975, and applies to Chelan County and the municipalities of Cashmere, Chelan, Entiat, Leavenworth, and Wenatchee.

We view the Master Program as part of the continuing, dynamic process, flexible enough to meet changing conditions. Thus, recognition is given to the need for future amendment in keeping with public and private interests in the physical development of land and water resources.

The extensive efforts of the Citizen Advisory Committee, the Regional Planning Council, and the planning staff in development of the program is sincerely appreciated. As you now move from a period of program development into the implementation and update stage, I would hope that the communication channels remain open between us to effect as smooth a transition as possible.

Again, thank you for your cooperation in developing Chelan County's Master Program. If any assistance or clarification is needed, please do not hesitate to contact Mr. Marvin Vialle, Assistant Director for the Office of Land Programs, or Mr. Glen Crandal, 753-6886, in Olympia, and we will assist you in whatever way we can.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John A. Biggs".

John A. Biggs
Director

JAB:lr

PREAMBLE TO CHELAN COUNTY SHORELINES MASTER PROGRAM

"Bring Me Men to Match My Mountains." This first line of an old poem by Sam Foss partially expresses the feelings of this Advisory Committee, a group of Chelan County citizens appointed to prepare a Chelan County Shorelines Master Program in conformity with the State of Washington Shoreline Management Act of 1971. The Committee has labored diligently and seriously for over nine months to prepare the attached document, which we hope will result in some everlasting values concerning the preservation and usefulness of the shorelines and waters of this beautiful county.

We recognize that man needs nature. In return nature needs understanding and responsibility from man. In this spirit, we welcome one and all to bring your weary souls to the shores of our lakes and streams to ease the burden of your daily lives. But we also ask that you bring understanding and responsibility . . . for the viability and cleanliness of our natural environment, and for the rights of privacy and tranquility of the citizens of Chelan County.

To those who would turn the clock back, we would say that America, including Chelan County, had to be made before it could be lived in, and that making took extraordinary energies. Continued progress and comforts will require mutual consideration and adjustment by everyone. This Committee has respected the rights and interests of all residents and visitors to Chelan County. Our intent is to protect, conserve and develop with the greatest amount of wisdom in the interest of the current owners and users, as well as those who will come in future generations. It is our heritage to enjoy, but also to preserve for future enjoyment, the natural environment we so highly value.

Finally, we would suggest to all agencies of government that authority comes in equal shares with responsibility. We believe that we have acted responsibly in devoting considerable time and thought to develop realistic, workable guidelines for the management of our shorelines. We take comfort in State and Federal statutes, such as the Fourteenth Amendment to the Constitution, which guard the rights of the individual. None the less, we strongly request that in administering this program public officials carefully consider the rights of private property owners as well as public users. We hope this document does not become a "bueaucratic hunting license" to impede proper development or enable "a power of eminent domain" to take over the waterfront properties of our county.

As recorded in Deuteronomy of the Old Testament, "A good land, a land of brooks of water, of fountains and depths that spring out of valleys and hills."

This is Chelan County; may it always be so.

TABLE OF CONTENTS
 SHORELINE USE
 GOALS AND POLICIES

	<u>Page</u>
Overall Shorelines Goals For	1
Goals For The Master Program Elements	2
Policies Statements for Shoreline Use Activities	4
<u>RESOURCE BASED ACTIVITIES</u>	
Agricultural Practices	5
Aquaculture	6
Forest Management	7
Mining	8
<u>LAND USE ACTIVITIES</u>	
Residential Development	9
Commercial Development	10
Outdoor Advertising, Signs & Billboards	10
Marinas	11
Ports and Industry	12
<u>SHORELINE MODIFICATION ACTIVITIES</u>	
Shoreline Works and Structures	13
Landfills	14
Dredging	14
<u>GOVERNMENTAL ACTIVITIES</u>	
Solid Waste Disposal	15
Utilities	15
Roads and Railroad Design & Construction	16
<u>LEISURE ACTIVITIES</u>	
Archeological Areas & Historical Sites	18
Recreation	18
<u>ADMINISTRATIVE ACTIVITIES</u>	
Compensation for Restricted Use of Private Property	20
Coordination with other Planning & Permit Procedures	20

NOTE: Table of Contents for Use Regulations appears following the yellow separator page at the conclusion of Goals and Policies, page 20.

OVERALL SHORELINES GOALS FOR _____

Located on the eastern slope of the Cascades, Chelan County possesses abundant land and water resources. Chelan County, the several cities therein, and other major land management agencies have observed comprehensive land use planning principles related to these resources for a number of years. However, the Shorelines Master Program represents an initial step in focusing comprehensive, coordinated planning attention at the critical land-water interface.

It is the intent of this committee that the following regulations be used in a positive way, consistent with the purpose of the Shoreline Management Act of 1971, in all shoreline development within the County. It is the directive of this committee that this statement of intent be and remain a part of any ordinance adopting these regulations.

Goals provide the motivating force behind all planning efforts, and the proper identification of goals is essential to the success of any plan. Taking the provisions of the Shoreline Management Act and Guidelines as a basic theme, in combination with the ideas and evaluation of the Citizens Advisory Committee, the following set of goals are presented as appropriate for all shorelines under the Shorelines Act in Chelan County. These goals are listed in no particular order of priority.

1. Promote reasonable and appropriate use of the shorelines which will not jeopardize public and private interests.
2. Protect against adverse effects to the public health, the land, its vegetation and wildlife, and the waters and their aquatic life within Chelan County.
3. Protect rights of navigation.
4. Recognize and protect private property rights.
5. Maintain or recreate a high quality of environment along the shorelines of the County.
6. Preserve and protect fragile natural resources and culturally significant features.
7. Increase public access to publicly owned areas of the shorelines where increased use levels are desirable.
8. Protect public and private properties from adverse effects of improper development in hazardous shorelines areas.
9. Recognize the importance of an informed and responsible public observing basic rules of good behavior in the use and enjoyment of all shorelines.

SPECIFIC GOALS FOR SHORELINES OF STATEWIDE SIGNIFICANCE

In the case of those shorelines within _____ which have been designated as having statewide significance, the following goals shall apply:

1. Recognize and protect statewide interest;
2. Preserve or enhance the natural character of the shoreline;
3. Address uses which result in long-term over short-term benefit;
4. Protect the resources and ecology of the shorelines;
5. Increase public access to publicly owned areas of the shorelines where increased use levels are desirable;
6. Increase recreational opportunities on the shorelines open to the public.

GOALS FOR THE MASTER PROGRAM ELEMENTS

The Overall Goals for Shorelines and the Specific Goals for Shorelines of Statewide Significance reflect the guiding philosophy of the Shorelines Management Act and input from the Chelan County Shorelines Citizens Advisory Committee. In realizing these goals, the Master Program contains policies and regulations which relate to the uses of shorelines. A set of general Master Program Elements, reflecting the interrelationships between shorelines and all other categories of human activity have been developed for _____. A general goals statement is presented with each element. Policies, directed toward specific shoreline uses, will reflect one or more of these Master Program Element Goals.

A. GOAL FOR ECONOMIC DEVELOPMENT ELEMENT

Permit those commercial and industrial developments requiring shorelines locations which may contribute to the economic well-being of _____ with minimum disruption of the environment.

B. GOALS FOR PUBLIC ACCESS ELEMENT

Assure safe, convenient and diversified access to the public shorelines of _____; assure that the intrusions created by public access will not endanger life or have adverse effects on property or fragile natural features; assure that the provisions for public access will minimize conflicts between the public and private property.

C. GOAL FOR CIRCULATION ELEMENT

Since major transportation systems pre-exist near many shorelines, additions or modifications to these systems should minimize the conflicts between those systems and shorelines uses.

D. GOAL FOR RECREATIONAL ELEMENT

Assure diverse, convenient and adequate recreational opportunities along the public shorelines of _____ for the local residents and a reasonable number of transient users.

E. GOAL FOR SHORELINE USE ELEMENT

Assure an appropriate pattern of sound development in suitable locations without diminishing the quality of environment along the shoreline of _____.

F. GOAL FOR HISTORICAL/CULTURAL ELEMENT

Protect and restore areas having significant historic, cultural, educational or scientific values.

G. GOAL FOR CONSERVATION ELEMENT

Assure preservation of unique, fragile and scenic elements; assure conservation of non-renewable natural resources; assure continued utilization of the renewable resources such as timber, water, and wildlife.

H. GOAL FOR AGRICULTURAL ELEMENT

Irrigation agriculture is a water dependent use and a key factor in the economy of _____; other shoreline uses should not jeopardize production on prime agricultural lands.

I. GOAL FOR REHABILITATION ELEMENT

Encourage the restoration of shoreline areas which have been modified, blighted, or otherwise disrupted by natural or human activities.

R.E.S.O.U.R.C.E - B.A.S.E.D A.C.T.I.V.I.T.I.E.S

I. AGRICULTURAL PRACTICES (Agricultural, Economic Development, and Conservation Element Goals).

Agricultural practices are those methods used in vegetation, soil, and livestock management, such as filling of soil, irrigation, control of weeds, control of plant diseases and insect pests, soil maintenance and fertilization, the raising and storing of crops, and control of livestock. In Chelan County, irrigated orchard production is the most significant agricultural activity, although general farming, livestock, dryland wheat and hay operations are present in lesser degrees. Diversion of water for agricultural purposes must occur in accord with the water right procedures of the Hydraulics Division of the Department of Ecology. Other state laws having direct application to agriculture in Chelan County include the Washington Pesticide Act (R.C.W. 15.57) and the Washington Pesticide Application Act (R.C.W. 17.21).

Policies:

- a. Encourage that lands which are well suited for agriculture can be maintained in agricultural production.
- b. Encourage the maintenance of a buffer of permanent vegetation along the shoreline in agricultural areas which will retard surface runoff, reduce siltation, and provide sanctuary for fish and other wildlife.
- c. Livestock waste should be disposed in a manner that will prevent surface or groundwater pollution. Livestock enclosures involving a significant concentration of animals should be sufficiently set back from all Shorelines of the State to prevent direct pollution of the water by animal wastes.
- d. Barns and agricultural accessory buildings should be permitted within the Shorelines of the State only when compliance with the above policy can be assured. Such buildings are not permitted in recognized floodway areas, and only conditionally permitted in floodway fringe areas by the _____ zoning ordinance. Barns and agricultural accessory buildings should be generally discouraged in the floodway fringe unless no other suitable location is available and adequate protective measures are assured.
- e. Discourage commercial feedlots and silage pits from locating on shorelines unless it can be satisfactorily demonstrated that no adverse environmental effects would result.
- f. Protect natural airsheds, made up of ravines, swales, tributaries and other topographic features which direct the flow of cold air

POLICIES STATEMENTS FOR SHORELINE USE ACTIVITIES

IN

The following list of policy statements are intended to serve as an intermediate step between the general Goals which have been set by the Chelan County Citizen's Advisory Committee and the specific use regulations developed in the Master Program.

There are nineteen use activities which have been grouped into six functional headings for ease of reference. The related Master Program Element Goals are noted on the same line as the Use Activity's Name with the primary element underlined.

down to major streams, from obstructions which would create frost pockets. Proposed highways, buildings, dikes, landfills, and dense hedge plantings which may obstruct this airflow and threaten existing orchards should be designed to minimize any adverse effect.

- g. Orchardists are encouraged to extract directly from the source, rather than from a streamside well, in order to obtain water free from damaging salts. Orchardists are encouraged to utilize pumping unit installations which will not detract from the visual quality of the shoreline.
- h. Overflow spillage points along gravity irrigation systems should be channeled or rip-rapped to prevent excessive siltation of rivers and streams during irrigation water "wasting."
- i. Orchardists using the rille method (open ditches) of irrigation are encouraged to filter overflow irrigation water into the soil rather than permitting excess irrigation water to runoff directly into surface waters.
- j. As indicated by the Agricultural Element Goal, orchard agriculture is a key element in the economy of Chelan County. At present, sufficient amounts of water to sustain production are available. It is essential that future permitted land uses such as industry, recreation, and residential development do not create a water demand conflict which may reduce the amounts of water available for present levels of irrigation.

2. AQUACULTURE (Economic Development, Recreation, and Conservation Element Goals)

Aquaculture involves the farming of food fish, shellfish, or other aquatic plants and animals. In Chelan County, aquaculture is restricted to the hatchery production of trout, salmon and steelhead for sport and commercial fisheries, and a limited number of farm fish ponds. The technology associated with aquaculture is still in its formative stages and the potential of a broader application of aquaculture on the shorelines of Chelan County has yet to be determined.

Policies:

- a. Aquacultural enterprises should be located in areas where navigation rights are not significantly restricted.

- b. Recognition should be given to the possible detrimental impact aquacultural development might have on the general aesthetic quality of the shoreline area.
 - c. As aquaculture technology expands with increasing knowledge and experience, emphasis should be placed on structures and plant management which do not interfere with water quality standards, navigation, or the aesthetic quality of shorelines.
3. FOREST MANAGEMENT (Conservation and Rehabilitation Element Goals).

Forest management practices are those methods used for the protection, production and harvesting of timber. In Chelan County the majority of merchantable timber occurs on National Forest lands and harvest is by private companies through timber sales arranged and regulated by the U. S. Forest Service in accordance with the Multiple Use Act. The Department of Natural Resources and private timber companies own and manage some forested lands, and some timber is cut incidental to preparing city, county, state and privately owned parcels of land for uses other than timber production. Private land owners must obtain approval from the Department of Natural Resources prior to commercially harvesting their timber.

The Shorelines Act of 1971 specifies that in most instances only 30% of the merchantable trees may be removed in harvests within the Shorelines of Statewide Significance. Thus, a shorelines permit will be required for proposed timber harvests within 200 feet of Shorelines of Statewide Significance to assure compliance with this provision of the law. The policies listed below will also apply to such proposed harvests.

In the case of all other Shorelines of the State, a shorelines permit for timber harvest will only be required when bridges, culverts, road construction, or similar developments involving costs in excess of \$1,000 are proposed within 200 feet of the shoreline.

Policies:

- a. Logging should be avoided on shorelines with slopes of such grade that large sediment runoff will result, unless adequate restoration and erosion control, including seeding, mulching, matting, and replanting, can be expeditiously accomplished.
- b. Special attention should be directed in logging activities including thinning, harvest and road construction, to prevent the accumulation of slash and other debris in contiguous waterways and their floodplains.
- c. The visual impact of timber harvest should be considered in all shoreline areas. Timber harvesting practices, including road construction and debris removal, should proceed in accord with fundamental landscape management principles so that the quality of the view and viewpoints in Shorelines of the State are not degraded.
- d. Encourage the use of buffer zones along forested shorelines which will retard surface runoff, reduce siltation, provide shade for fish, and be aesthetically pleasing.

- e. Timber harvesting practices on Shorelines of the State should be conducted to maintain State and Federal water quality standards as appropriate.
- f. Careful consideration should be given to partial harvesting in shoreline areas to remove cull logs, dead and dying trees and those green trees most subject to undercutting by the stream.

4. MINING (Economic Development, Conservation and Rehabilitation Element Goals).

Mining is the removal of naturally occurring materials from the earth for economic use. Chelan County contains significant mineral resources and a number of areas were mined for many years. Recently sand and gravel operations have been the major mining activity, however, the potential exists for significant mineral extraction in the future. Excavating for the production of sand, gravel and minerals must proceed in accord with the Washington State Surface Mining Act. In addition, all mining within Shorelines of the State should conform with the provisions of Chelan County's Master Program.

Policies:

- a. Sand, gravel, and commonly occurring minerals should be mined from the least sensitive shoreline areas.
- b. When rock, sand, gravel or minerals are removed from shorelines areas adequate protection against sediment and silt production must be provided. If such removal is to occur within the streambed itself, a Hydraulics Permit from the Departments of Game and Fisheries is required.
- c. Land reclamation should be initiated immediately after completion of each phase of the mining activities.
- d. Steps should be taken to assure that sediment or chemically harmful leaching from upland mining activities does not reach the surface waters of the State.
- e. In areas of past mining activity where adequate reclamation was not accomplished and a nuisance has resulted, coordination between all groups with an interest in the land (owners, citizens and various levels and agencies of government) should be directed towards the elimination of the nuisance.

LAND USE ACTIVITIES

5. RESIDENTIAL DEVELOPMENT (Shoreline Use, Economic Development and Circulation Element Goals).

In Chelan County the term "residential development" includes both year around and recreational/seasonal homes. Since both types of homes have the same impact upon shorelines as well as requiring almost the same breadth of public services, they are not differentiated in the Master Program. Residential development does include the full range of densities from single family units through mobile homes and cluster developments to multi-family structures. Local zoning ordinances and subdivision regulations presently provide controls which prevent many developmental abuses.

Policies:

- a. All subdivisions should be designed at a level of density of site coverage and occupancy compatible with the physical capabilities of the shoreline and water in order to minimize probabilities of damage to life, property and the environment.
- b. Cluster development (Planned Development type zoning) should be encouraged wherever feasible to maximize use of the shorelines by residents, maximize both on-site and off-site aesthetic appeal and to minimize disruption of the natural shorelines.
- c. All subdivisions should be designed to adequately protect and/or improve the water and shoreline aesthetic qualities.
- d. Proposed residential development, such as cabanas should be prohibited. Other proposed encroachments into air space over water surface should be very closely evaluated to determine potential environmental, safety, navigation, and/or aesthetic impact. Such impacts should be minimized or eliminated as appropriate.
- e. Residential development should have adequate provisions for sanitary sewage disposal, storm drainage, and water supply which minimize harmful effects on the natural shorelines.
- f. Encourage residential development in areas presently having such improvements as utilities and streets so as to minimize additional expenditures of public funds, maximize use of existing public facilities, and not decrease availability of open space.
- g. Floating homes should be located in accordance with the policies on marinas and docks as well as complying with applicable sewage disposal and water supply standards.

- 
- h. Subdividers should be encouraged to provide pedestrian access to the shorelines within the development and to minimize impacts of vehicular use and parking upon shoreline aesthetics.
 - i. An assessment should be made to determine the effect of new residential development upon scenic vistas.

6. COMMERCIAL DEVELOPMENT (Shoreline Use, Circulation, Economic Development, and Recreational Element Goals)

The term "commercial development" includes wholesale, retail, and service industries.

Policies:

- a. Commercial developments which provide an opportunity for substantial numbers of people to enjoy the amenities of the shorelines should be encouraged to locate near the water. All other commercial developments should be encouraged to locate upland.
- b. New commercial development should be encouraged to locate in those areas where current commercial uses exist.
- c. Parking facilities should be located inland from the shoreline where feasible.
- d. An assessment should be made to assure that new commercial development will not significantly reduce scenic vistas and views.

7. OUTDOOR ADVERTISING, SIGNS AND BILLBOARDS (Shoreline Use, Economic Development, Conservation Element Goals)

Outdoor advertising has a basic purpose of providing information, direction or advertising a product. In order for a sign to be effective, it must attract attention; however, a sign can be clear and distinct without being offensive. While there are areas where signs are undesirable, in most cases it is the design of the sign which is offensive rather than the sign itself. Signs which are designed to blend with their surroundings rather than be in garish contrast to them are normally more acceptable. It should be noted that there is State Federal legislation in effect which requires removal of billboards (with adequate compensation) on select major highways.

Policies:

- a. Off-premise outdoor advertising structures should be limited to commercial and industrial areas in line with provisions of the Washington State Scenic Vistas Act of 1971.
 - b. Business licenses should require removal of on-premise signs if business is not in operation.
 - c. Vistas and viewpoints should not be degraded and visual access to the water from such vistas should not be impaired by placement of signs.
 - d. Local sign ordinances should be reviewed/developed in light of the Master Program.
 - e. Off-premise outdoor advertising signs should be located on the upland side of transportation routes along shorelines unless it can be demonstrated that views will not be obstructed.
 - f. Both on and off-premise advertising signs which incorporate illumination and/or movement should comply with local sign ordinances when enacted.
8. MARINAS (Shorelines Use, Recreational, and Public Access Element Goals)

Marinas are facilities which provide boat launching, storage supplies, and services for small pleasure craft. The term includes both privately-operated and publicly-operated facilities. Depending upon the design of the facility, marinas affect fish habitats as well as the aesthetic appearance of the shoreline. The Washington State Department of Fisheries has adopted a set of guidelines on marinas design and construction which are quite helpful in avoiding many problems. In addition, both local and state health agencies have requirements on marina operation which protect public health.

Policies:

- a. Marinas should be aesthetically compatible with surrounding development.
- b. Special attention should be given to design and development of fuel handling and storage in order to minimize spillage. Satisfactory means of controlling the spills which may occur should be provided.
- c. Marinas should be located near high use and potential high use areas.

9. PORTS AND INDUSTRY (Shoreline Use, Economic Development, and Circulation Element Goals)

In Chelan County development of port facilities is largely dependent upon Columbia River navigation which requires construction of locks around downstream dams. Although there are no definite plans for such facilities, this need not preclude planning for their eventual presence. The primary industries present in Chelan County are the aluminum and fruit industries, and potable water and sewage disposal plants. Upon completion of Columbia River locks, a number of agricultural supplies and shipment developments would be possible.

Policies:

- a. Port facilities should be designed with public viewpoints and facilities which would not interfere with port operations.
- b. Sewage treatment and potable water plants should be located for economic operation, for compatibility with surrounding uses, and for minimal adverse environmental impact.
- c. Industries which require frontage on navigable water should be given priority over other industrial uses.

SHORELINE MODIFICATION ACTIVITIES

10. SHORELINE WORKS AND STRUCTURES (Shoreline Use and Virtually All Other Element Goals)

The term "shoreline works and structures" (SWS) includes bulkheads, seawalls, protective structures, piers, levees, dikes, channelization, docks, rip-rapping, etc. SWS may be designed to stabilize banks, reclaim eroded land, conduct floodwaters, provide access, reduce siltation or for a variety of other purposes. Whatever the purposes, SWS have a marked and substantial impact on shoreline ecology, water quality, appearance, hydrology, and the uses of the shorelines. Since the waters of the State belong to all of the people of the State, great care must be taken in use of SWS to protect both public and private interests. As you would expect, several public agencies have adopted regulations to protect these interests. These regulations are too numerous to list here other than by reference to the several agencies: Chelan County, the cities and towns of Wenatchee, Chelan, Leavenworth, Entiat, and Cashmere, State of Washington, Departments of Game, Fisheries, Ecology, Highways and Pollution Control Commission, U.S. Forest Service, Soil Conservation Service, Corps of Engineers, Coast Guard and Environmental Protection Agency.

Policies:

- a. SWS should be located and constructed in such a manner which will result in no significant adverse effects on adjacent shorelines, will minimize alterations of the natural shorelines, and have no long term adverse effects on fish habitats.
- b. SWS should be designed to blend with the surroundings and not detract from the aesthetic qualities of the shorelines.
- c. Construction of bulkheads should be permitted where they provide protection to marinas, upland areas, facilities, or natural features.
- d. Where SWS can be located near existing SWS and still serve the desired purpose, such shall be encouraged rather than installation in previously unbuilt areas.
- e. SWS should be designed and located to avoid significant damage to ecological values or to natural resources which would create a hazard to adjacent life, property and natural resource systems.
- f. Flood protection measures which result in or tend toward channelization of streams should be avoided where possible.

- g. Encouragement should be given to the cooperative use of docks rather than a proliferation of single-purpose private docks in order to minimize disruption of shorelines and reduction of usable water surface.
- h. All SWS must be designed and constructed to accepted engineering standards.
- i. Where flood protection measures such as dikes are planned, they should be placed landward of the streamway, including directly associated swamps and marshes and other wetlands that are directly interrelated and interdependent with the stream proper.

11. LANDFILLS (Shoreline Use and Virtually All Other Element Goals)

Landfill is the creation of dry upland area by filling or depositing soil or other materials in water areas or wetlands. Landfills also occur to replace shorelands lost to natural erosive processes. Uncontrolled landfilling may alter drainage patterns, the natural character of the land, and create unnaturally heavy erosion and silting problems.

Policies:

- a. Landfilling for the express purpose of creating new land for non-shoreline related uses is discouraged.
- b. Landfilling in floodplain areas shall not be allowed if reduction of floodwater storage capacity would endanger other areas.
- c. In evaluating landfill proposals, such factors as water surface reduction, navigation restriction, impact on water flow, improvement and/or maintenance of water quality, impact on fish or wildlife habitat, and effect on adjoining property should be considered.
- d. The perimeter of all landfills should be provided with vegetation, retaining walls or other means of preventing erosion.
- e. Shoreline fills or cuts should be designed and located to avoid significant damage to existing ecologic values or natural resources.

12. DREDGING (Economic Development, and Conservation Element Goals)

Dredging is the removal of materials from the bottom of streams, lakes, or other bodies of water for the purpose of deepening a navigation channel, removing obstacles to water flow, or to obtain use of the bottom materials. A Hydraulics Permit for disruption of bottoms is required by the Washington Department of Game and Fisheries.

Policies:

- a. Dredging should be controlled to minimize damage to existing ecological values and natural resources.
- b. Deposit of spoils in water areas should be permitted only to improve habitat or when the alternative is more detrimental than depositing in water areas.

GOVERNMENTAL ACTIVITIES

13. SOLID WASTE DISPOSAL (Shoreline Use and Rehabilitation Element Goals).

Recognizing the importance of a rapid, safe, and nuisance-free system for the storage, collection, transportation and disposal of solid waste, Chelan County and its incorporated communities have adopted a regional Comprehensive Solid Waste Management Plan. This Plan provides for the gradual phasing out of substandard local dumps with concurrent replacement by convenience transfer facilities and a single regional sanitary landfill. The disposal of specialized wastes such as junk automobiles and dangerous chemicals are also covered in this Plan. Shoreline policies regarding solid waste are designed to support the concepts and proposals contained in this Plan and to highlight specific shoreline disposal problems.

Policies:

- a. The disposal of all solid wastes, including hazardous chemicals and junk automobiles, should proceed in accordance with the Comprehensive Solid Waste Management Plan.
- b. The development of private or governmental disposal facilities at sites other than those provided for in the above Plan must conform with minimum functional standards as adopted by the Chelan-Douglas Health District.
- c. Orchardists are encouraged to dispose of stumps and other wastes related to the removal of trees by burning or chipping, as opposed to dumping in ravines and areas near shorelines when such dumping may create erosion or debris problems.

14. UTILITIES. (Shoreline Use, Economic Development, and Rehabilitation Element Goals).

Utilities are services which produce and carry electric power, gas, sewage, communications and oil. At this time the most feasible methods of transmission are lineal, involving pipes or wires located along utility corridors. Since most of Chelan County is mountainous, these utility corridors frequently follow major drainages, often within 200 feet of Shorelines of the State. Transportation routes generally follow similar alignment making these utility corridors highly visible to the traveling public. Thus, it is essential that the installations of utility systems have minimal visual and physical impact on the shoreline environment.

Policies:

- a. Upon completion of installation or maintenance projects on shorelines, banks should be restored to pre-project configuration, replanted with suitable plant species and provided maintenance care until the newly planted vegetation is established.
- b. Whenever utilities must be placed in a shoreline area, the location should be chosen so as to minimize their visual impact. Whenever feasible, utilities should be placed underground or designed to do minimal damage to aesthetic qualities of the shoreline area.
- c. Intensified use of existing utility corridors should be encouraged, as opposed to the addition of new corridors, when greater utility capacity is required. Efforts should be made to reduce the visual impact of existing utility corridors.
- d. Utilities should be located to meet the needs of future populations in areas planned to accommodate this growth.
- e. Upland locations are recommended for utility pipelines and cables. If an underwater location becomes necessary, easements for the utility must include proper provisions to insure against substantial or irrevocable damage to the waterway or the resident aquatic ecosystems.

15. ROAD AND RAILROAD DESIGN AND CONSTRUCTION (Public Access, Circulation, and Conservation Element Goals).

In the mountainous terrain which characterizes much of Chelan County, transportation facilities are usually located along major lake shorelines and stream valleys. Thus, scarce bottomlands and shoreline areas must accommodate highways and railroads, in addition to other land use needs. The following policies are intended to assure that design and construction of such facilities will minimize conflicts with other shoreline uses, while at the same time provide safe, efficient transportation service.

Policies:

- a. When highways and railways must be located along stream drainages or lakeshores, efforts should be made to minimize the amount of land consumed. Where feasible, such transportation facilities should be sufficiently set back so that a usable shoreline area remains.
- b. Roads in wetland areas should be designed and maintained to prevent erosion and to permit a natural movement of ground water.
- c. All construction shall be designed to protect the adjacent shorelands from erosion, uncontrolled drainage, slides, pollution, and other factors detrimental to the environment.
- d. Road locations should be planned to fit the topography so that minimum alterations of natural conditions will be necessary.

- e. Scenic highways and major bridge crossings should have provision for safe pedestrian and other non-motorized travel. Also, provision should be made for sufficient viewpoints, rest areas and picnic areas along Shorelines of the State.
- f. Extensive loops or sections of old highways with high aesthetic quality or bicycle route potential should be kept in service when maintenance funds permit, especially where main highways, paralleling the old highway, must carry large traffic volumes at high speeds.
- g. Where natural debris in a stream can be anticipated to create problems, road design for stream crossings will consider larger bridge openings, bridges versus major culverts, and low water fords versus culverts.
- h. Since land use and transportation facilities are so highly inter-related, the plans for each should be closely coordinated.

LEISURE ACTIVITIES

16. ARCHEOLOGICAL AREAS AND HISTORICAL SITES (Historical/Cultural and Rehabilitation Element Goals).

Archeological areas, ancient Indian villages, ghost towns, old settler's homes, and trails were often located on shorelines because of the proximity of food and an important means of transportation. These sites are nonrenewable and many are in danger of being lost to changing land use and urbanization. In recognition of this fact the National Historic Preservation Act of 1966 and Chapter 43.51 of the Revised Code of Washington provide for protection and restoration of districts, sites and buildings significant in American and Washington history and culture.

Policies:

- a. Wherever possible sites should be permanently preserved for scientific study and public observation. In areas known to contain significant archeologic and historic data a condition should be placed on shoreline permits which would allow for site inspection and evaluation to ensure proper salvage of such data.
- b. The continuing phase of the Master Program should include consultation with professional archeologists and historians to identify areas containing potentially valuable archeological data, and to establish procedures for salvaging the data.
- c. Development which would destroy archeological or historical sites or data may be delayed for a reasonable time to allow the appropriate agency or organization to purchase the site or to recover the data.
- d. If it becomes unfeasible to delay a threat to archeologic/historic data or sites, and rapid action is necessary to preserve the artifacts, such a situation should qualify for emergency consideration as provided in the Master Program.

17. RECREATION (Recreation, Economic Development and Shoreline Use Element Goals).

Recreation is the refreshment of mind and body through relaxation, amusement, and play. Water-related recreation accounts for a high proportion of all recreational pursuits in the Pacific Northwest. In Chelan County we have an unsurpassed combination of beautiful crystal clear water bodies and rugged mountainous scenery. This helps to account for the area's high desirability both as a place to live and as an area attractive for local, statewide and regional tourism. Local and State health regulations control waste disposal methods and vector controls in recreational facilities.

Policies:

- a. Priority should be given to developments (other than the single-family residences exempted from the permit requirements of the Act) which provide the public with recreational areas, facilities and/or access to shorelines.
- b. Access to recreational areas should emphasize both area and linear access (i.e., parking areas and trails or bicycle paths) as a means of preventing undue concentration of use pressure on fragile natural areas.
- c. To avoid wasteful use of the limited supply of shoreline areas, parking facilities should be located upland from the shoreline. Direct access to the water should be via paths, walkways or other pedestrian-oriented means. Vehicular traffic on beaches and fragile shoreline resources is discouraged.
- d. The Master Program encourages increased public acquisition and dedication of land for shoreline parks and recreation areas to reduce existing problems related to overcrowding of current facilities and adverse impacts on adjacent properties.
- e. Operation of existing and proposed recreational facilities which may occasionally use large quantities of fertilizers and pesticide (such as golf courses and playfields) should be closely monitored to prevent contamination of water bodies by direct runoff. Provisions should be made to allow irrigation waters to filter into the soil.
- f. The location, design, construction and operation of recreational facilities should prevent undue adverse impacts on adjacent or nearby private properties.
- g. Whenever practical scenic views and vistas should be preserved in the design of recreational facilities.
- h. When new utility easements on shorelines are either dedicated or when existing easements are subject to rededication consideration should be given to multiple use easements to include recreation access rights to the shoreline.
- i. The Master Program recognizes the value of and encourages the use of State and Federal lands for recreational facilities as a more economical alternative to new acquisition by local agencies.

ADMINISTRATIVE ACTIVITIES

18. COMPENSATION FOR RESTRICTED USE OF PRIVATE PROPERTY (All Element Goals Apply).

In addition to providing shoreline information and policy guidance which is common to a comprehensive land use plan, the Master Program must also include use regulations to implement the plan. Thus, policies and use regulations may serve to restrict the use of private property in appropriate instances. In this sense, the Master Program is identical to zoning, subdivision and other land use regulations.

Policies:

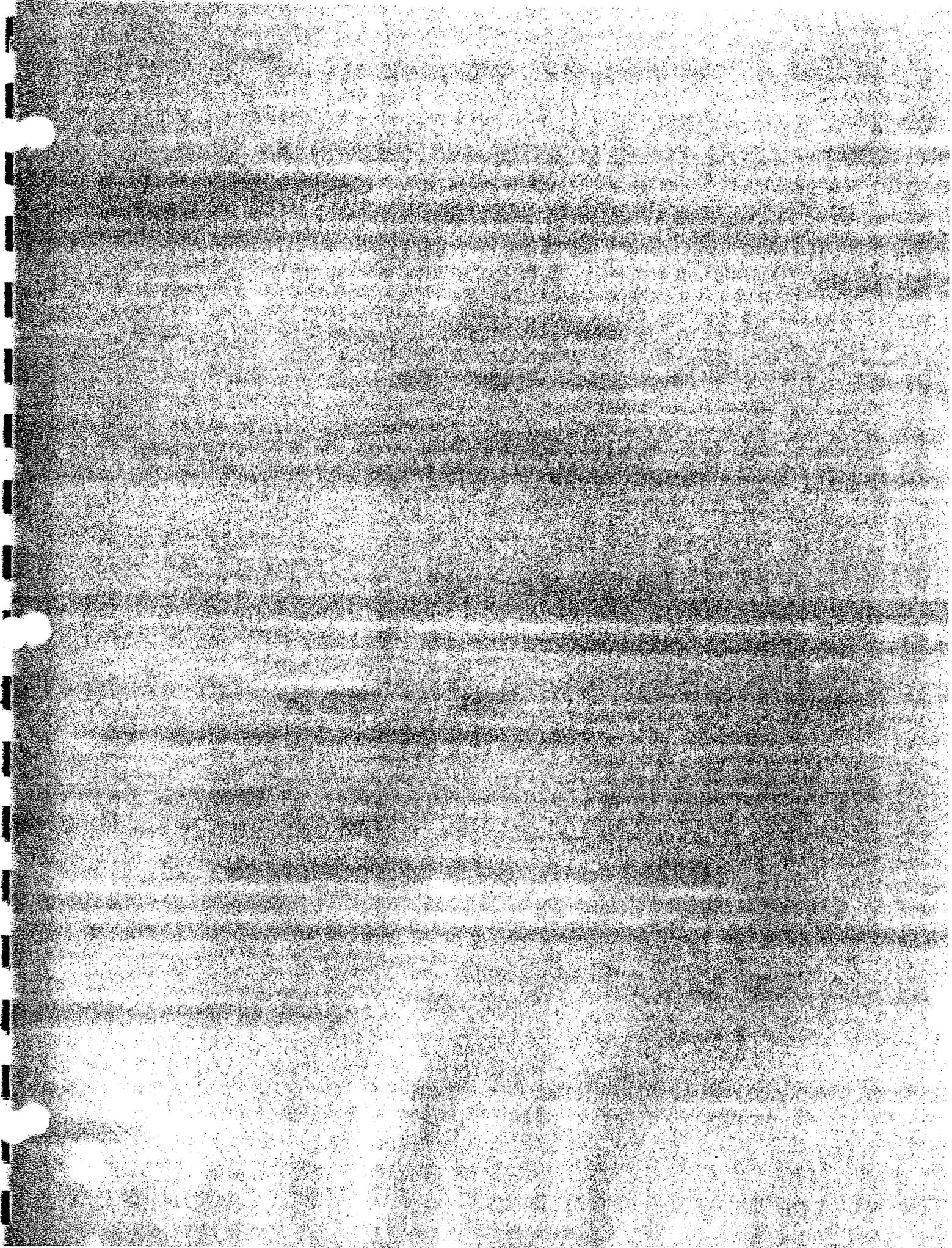
- a. Only in instances where restrictions on the use of privately owned shorelands are directly related to the public health, safety, or welfare may such restrictions be imposed without some form of just compensation.
- b. The restrictions imposed by Chelan County's Shoreline Master Program shall be considered by the County Assessor in establishing fair market value for parcels of shoreline property.

19. COORDINATION WITH OTHER PLANNING AND PERMIT PROCEDURES (All Element Goals Apply) .

Shorelines permits, as stipulated by the Shoreline Management Act of 1971, are required in addition to other existing permit procedures for proposed developments. Special permits in addition to shoreline permits may be required from the County, the State Departments of Game or Fisheries, the State Department of Ecology, the Army Corps of Engineers, the U. S. Coast Guard or other agencies for various types of shoreline activities. The many different requirements for shoreline development underscore the need for close coordination between agencies involved with shoreline regulations if "bureaucratic bungling" is to be avoided.

Policies:

- a. Referrals of Shoreline Permit Applications should be promptly sent to those agencies involved with various aspects of shoreline regulation, to assure that all permit requirements may be properly and efficiently complied with.
- b. Chelan County's Shoreline Master Program endorses development by the State of a "one-stop" permit application procedure which includes all state shoreline permit requirements thus simplifying procedures for an applicant. Where possible, referral and review by appropriate agencies should take the place of additional permit requirements.



SHORELINE USE REGULATIONS

FOR

CHELAN COUNTY
REGIONAL PLANNING
COUNCIL

April 22, 1975

TABLE OF CONTENTS
SHORELINE USE REGULATIONS

<u>Section</u>		<u>Page</u>
<u>ADOPTING RESOLUTION</u>		
1.	Title	1
2.	Purpose	1
3.	Relationship to Master Program Goals & Policies	1
4.	Relationship to Existing & Future Comprehensive Plans	2
	Zoning Ordinances and Subdivision Regulations	
5.	Applicability and Compliance	2
6.	Severability	3
7.	Definitions	3
8.	Note: Eliminated due to preliminary draft amendments	13
9.	Shoreline Environment Map and Boundaries	14
10.	General Shoreline Use Activity Regulations	14
11.	Shoreline Use Activities Permitted Outright	15
<u>RESOURCE-BASED USE ACTIVITIES</u>		
12.	Agriculture	16
13.	Aquaculture	17
14.	Forest Management	18
15.	Mining	20
<u>LAND USE ACTIVITIES</u>		
16.	Residential	21
17.	Commercial	23
18.	Signs	24
19.	Marinas	25
20.	Ports and Industries	26
<u>SHORELINE MODIFICATION USE ACTIVITIES</u>		
21.	Shoreline Works and Structures (SWS)	28
22.	Landfills	29
23.	Dredging	32

Section

Page

GOVERNMENTAL USE ACTIVITIES

24.	Solid Waste Disposal	34
25.	Utilities	34
26.	Roads and Railroads	34

LEISURE USE ACTIVITIES

27.	Archeological/Historical Areas and Sites	36
28.	Recreation	36

PROCEDURAL REQUIREMENTS

29.	Off Street Parking Requirements	38
30.	Shorelines Permits, Fees and Procedures	38
31.	Appeals	40
32.	Variances	41
33.	Non-Conforming Uses	41
34.	Administration and Enforcement	42
35.	Violations and Penalties	42
36.	Amendments and Boundary Changes	42
37.	Interpretation	43
38.	Effective Date	44
39.	Fee Schedule	44
40.	Liberal Construction	44

YELLOW SEPARATOR PAGE

Shoreline Environment Map (Foldout)

APPENDIX A: Environment Boundary Descriptions 1

SECTION 1. TITLE

These regulations and amendments thereto shall be known and may be cited as "The Shoreline Master Program Use Regulations of _____."

SECTION 2. PURPOSE

The purpose of the Shorelines Master Program Use Regulations is to:

- 2.1 Promote reasonable and appropriate use of the shorelines which will protect the public and private interest,
- 2.2 Recognize and protect private property rights including economic development,
- 2.3 Protect against adverse effects to the public health, the land, its vegetation and wildlife and the waters and their aquatic life within _____,
- 2.4 Protect rights of navigation,
- 2.5 Maintain or re-create a high quality of environment along the shorelines of _____,
- 2.6 Preserve and protect fragile natural resources and culturally significant features,
- 2.7 Increase public access to publicly owned areas of the shorelines where increased use levels are desirable and do not adversely affect adjacent private property,
- 2.8 Protect public and private properties from adverse effects of improper development in hazardous shorelines areas,
- 2.9 Recognize and protect local and statewide interest, and
- 2.10 Give preference to uses which result in long term over short term benefits, and
- 2.11 Consider future development proposals with a positive attitude.

SECTION 3. RELATIONSHIP TO MASTER PROGRAM GOALS AND POLICIES

These Use Regulations are intended to implement the Goals and Policies of the Shorelines Master Program of _____.

SECTION 4. RELATIONSHIP TO EXISTING COMPREHENSIVE PLANS, ZONING ORDINANCES, AND SUBDIVISION REGULATIONS.

The Shorelines Master Program of _____ shall bear the following relationship to existing land development controls.

- 4.1 The Shorelines Master Program Of _____ shall, for the purposes of R.C.W. 35.63, (City Planning Enabling Act) or R.C.W. 36.70, (County Planning Enabling Act) be considered a supplement to the Comprehensive Plan of _____.
- 4.2 The Shoreline Master Program Use Regulations of _____ shall, for the purposes of R.C.W. 35.63 or R.C.W. 36.70, be considered a set of use regulations applying only to shorelines areas in addition to the provisions of the Zoning Ordinance of _____.
- 4.3 The Subdivision Regulations of _____ are hereby declared to continue in full force and effect as applies to the shoreline areas of _____.
- 4.4 Where a conflict between the provisions of any of the above documents is determined to exist as applied to shoreline areas, the more stringent provisions shall apply.

SECTION 5. APPLICABILITY AND COMPLIANCE

- 5.1 Applicability. These Use Regulations shall apply to all uses of and activities on the Shorelines, the Shorelines of State-wide Significance, and the associated Wetlands.
- 5.2 Use of Land and Structures. No structure or lot shall hereafter be used or occupied and no structure or part thereof shall be erected, moved, reconstructed, extended, enlarged, or altered except in compliance with the provisions of this and any other pertinent ordinance.
- 5.3 Maintenance of Minimum Requirements. No lot area, yard, or ~~other open space, or required off-street parking or loading area~~ existing on or after the effective date of this ordinance shall be reduced in area, dimension, or size below the minimum required by this ordinance.
- 5.4 Subdivision of Land. The platting or development of land, ~~whether by the adopted subdivision procedures of _____~~ or as authorized in accordance with the Laws of Washington, shall comply with the minimum lot size in each Environment; and no plat or proposed subdivision of land in an Environment prohibiting such subdivision shall be considered by the (Legis. Body) _____ until after an application for Environmental designation change to an Environment permitting such development has been received and approved by the (Legis. Body) _____ and the State Department of Ecology.

SECTION 6. SEVERABILITY

The provisions of this ordinance are hereby declared to be severable. If any section, subsection, paragraph, subparagraph, sentence, clause, or phrase of this ordinance is adjudged by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 7. DEFINITIONS

- 7.1 As used in this ordinance, the masculine includes the feminine and neuter, the singular includes the plural, the present includes the future, the word shall is mandatory and not permissive. Nothing in these definitions shall be construed to exempt any use or activity from complying with the provisions of other State and local regulations.
- 7.2 The following words and phrases, unless the context otherwise requires, shall mean:
- 7.2.1 Access. The means or way by which pedestrians or vehicles have entrance to and exit from a property or body of water.
- 7.2.2 Accessory structure or use. A structure or use, incidental, appropriate, and subordinate to the main use of the property, and which is located on the same lot or in the same building with the main use.
- 7.2.3 Act. The Shorelines Management Act of 1971 (R.C.W. 90.58) as amended.
- 7.2.4 Administrative Authority. The person designated by the Responsible Official.
- 7.2.5 Agriculture. The tilling of the soil, the raising of crops, horticulture, gardening, keeping or raising of livestock and poultry for commercial purposes, and any agricultural industry or business such as dairies, nurseries, greenhouses, or similar uses.
- 7.2.6 Aquaculture. The culture or farming of food or sport fish.
- 7.2.7 Alley. A narrow street which affords only a secondary means of access to property abutting thereon.
- 7.2.8 Automobile wrecking yard. An area in which is conducted the dismantling and/or wrecking of used motor vehicles, machinery, or trailers, or the storage or sale of dismantled, obsolete, or wrecked vehicles or their parts or the storage of motor vehicles unable to be moved under the power of the vehicle.

- 7.2.9 Board. The _____ Board of Adjustment.
- 7.2.10 Boathouse. Any structure designed for the purpose of protecting or storing boats for non-commercial purposes. Boathouses shall not be used for human habitation.
- 7.2.11 Building. A structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind.
- 7.2.12 Carport. An accessory building or portion of a main building used as a covered shelter for an automobile and open on two or more sides.
- 7.2.13 Channel. A natural or artificial watercourse of perceptible extent with a definite bed and banks to confine and conduct continuously or periodically flowing water. Thus, channel flow is that water which is flowing within the limits of the defined channel.
- 7.2.14 City. The City of _____.
- 7.2.15 Commission. The _____ Planning Commission.
- 7.2.16 Comprehensive Plan. Any map, plan or policy statement other than the Shorelines Master Program pertaining to the development of land use, streets and roads, or public utilities and facilities, for all or any portion of the territory of _____ which has been officially adopted by the Planning Commission of _____ and the (Legislative Body).
- 7.2.17 County. Chelan County, State of Washington.
- 7.2.18 Department. The _____ Planning Department.
- 7.2.19 Development. The use consisting of the construction or exterior alteration of a structure or structures, dredging, drilling, dumping, filling, removal of natural resources, bulkheading, driving of piling, placing of obstructions, or any project of a permanent or temporary nature subject to regulation under the Act.
- 7.2.20 Dwelling, multi-family. A building containing three or more dwelling units.
- 7.2.21 Dwelling, single family. A detached building containing one dwelling unit.

- 7.2.22 Dwelling, two-family. A detached building containing two dwelling units.
- 7.2.23 Dwelling Unit. A building or portion thereof designed for occupancy by one family having cooking and toilet facilities.
- 7.2.24 Environment. This term has two meanings in the Master Program. They are distinguished from one another as follows:
- 7.2.24.1 Environment. This is the more common usage of the term meaning the natural physical surroundings unique to a given location. In shoreline areas the term includes marshes, swamps, streamways and other wetlands directly interrelated and interdependent with the stream or lake proper.
- 7.2.24.2 Environment This usage is unique to the Act, the Master Program, and the Use Regulations and has quite specific meaning. This term is normally preceded by one of four words (Urban, Rural, Conservancy, or Natural) both of which are always capitalized herein. Each Environment represents a specific type of geographic area having common characteristics, defined boundaries, and specific regulations governing use activities; all as required by the Act.
- 7.2.24.3 Urban Environment - an area of high intensity land use including residential, commercial, and industrial development in addition to open space and public uses.
- 7.2.24.4 Rural Environment - an area characterized by intensive agricultural and recreational uses and those areas having a high capability to support active agricultural practices and intensive recreational development.
- 7.2.24.5 Conservancy Environment - an area characterized by a potential for diffuse outdoor recreation activities, timber harvesting on a sustained yield basis, passive agricultural uses such as pasture and range lands, and other related development.
- 7.2.24.6 Natural Environment - an area containing some unique natural or cultural features considered valuable in a natural or original condition which are relatively intolerant of intensive human uses.
- 7.2.25 Flood. A temporary rise in stream or riverflow or stage that results in water overtopping its banks, inundating areas adjacent to the channel. In all cases, the Intermediate Regional Flood (100 year flood) shall be the flood reference.

- 7.2.27 Garage, private. An accessory building or portion of a main building used for the parking or temporary storage of vehicles owned or used by occupants of the main building.
- 7.2.28 Grade (ground level). The average elevation of the finished ground level at the center of all walls of the building or in the case of an undeveloped lot, the average elevation of the building site.
- 7.2.29 Guidelines. The final guidelines (Chapter 173-16 WAC) adopted by the Department of Ecology pursuant to the Shorelines Management Act of 1971. (These guidelines were used in the preparation of the Shorelines Master Program of _____ and these Use Regulations.)
- 7.2.30 Hearing Board. The Shorelines Hearings Board established by Chapter 90.58.R.C.W.
- 7.2.31 Height of Building. The vertical distance measured from the grade to the highest point of a flat roof, to the deck line of a mansard roof, or to the average height of the highest gable of a pitch or hip roof.
- 7.2.32 Hotel. A building which is designed, intended, or used for the accommodation of tourists, transients, and permanent guests for compensation.
- 7.2.33 Junk Yard. An area where any person is engaged in breaking up, handling, packing, bailing, sorting, storing, distributing, buying, or selling of any scrap, waste material, or junk including but not limited to scrap metal, bones, rags, used cloth, used rubber, used rope, used bottles, old or used machinery, used tools, used appliances, used fixtures, used lumber, used pipe or pipe fittings, used tires, or other used manufactured goods.
- 7.2.34 Legislative Body. The _____ of _____.
- 7.2.35. Livestock. Domestic animals of types customarily raised or kept on farms for profit or other purposes.
- 7.2.36 Lot. A single parcel or tract of land located which at the time of application for a permit, is designated by its owner or developer as a tract of land to be used, developed, or built upon as a unit, under a single ownership or control.
- 7.2.37 Lot Area. The total area within the boundary lines of a lot exclusive of the following: Public and private road easements of vehicular access to other property.

- 7.2.38 Lot Depth. The average horizontal distance between the front lot line and the rear lot line.
- 7.2.39 Lot Line. The property line bounding a lot.
- 7.2.40 Lot Line, Front. The property line separating the lot from the street other than an alley. In the case of a corner lot, the shortest property line along a street, other than an alley.
- 7.2.41 Lot Line, Rear. A property line which is opposite and most distant from the front lot line. In the case of an irregular, triangular, or other shaped lot, a line ten (10) feet in length within the lot parallel to and at a maximum distance from the front lot line.
- 7.2.42 Lot Line, Side. Any property line not a front or rear lot line.
- 7.2.43 Lot Width. The average horizontal distance between the side lot lines, ordinarily measured at the front building line.
- 7.2.44 Marina. A dock or basin providing moorage for watercraft and offering supply, repair, or other support facilities. A marina may be either open to the public or for the exclusive use of a group.
- 7.2.45 Master Program shall mean the comprehensive use plan for _____ and the use regulations together with maps, diagrams, charts or other descriptive material and text, a statement of desired goals, policies and standards developed in accordance with the Act.
- 7.2.46 Motel or Auto Court. A building or group of buildings on the same lot, in which lodging is offered for compensation primarily for the accommodation of transient automobile travelers.
- 7.2.47 Motorized Vehicular Race Track includes racing accommodations for motorized vehicles such as automobiles, snowmobiles, motorcycles, go-carts and other similar motorized vehicles.
- 7.2.48 Nonconforming Structure. A legally established structure existing at the time this resolution or any amendment thereto becomes effective which does not conform to the requirements of the appropriate zoning district or Environment.
- 7.2.49 Nonconforming Use. A legally established use or condition existing at the time this resolution or any amendment thereto becomes effective which does not conform to the use requirements of the zoning district or Environment in which it is located.
- 7.2.50 Obstruction. Any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel, rectification, bridge,

conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, or matter in, along, across, or projecting into any channel, or regulatory flood hazard area which may impede, retard or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water, or that is placed where the flow of water might carry the same downstream to the damage of life or property.

- 7.2.51 Official Newspaper. A newspaper of general circulation within _____.
- 7.2.52 Off-street Parking Space. An off-street enclosed or unenclosed surfaced area of not less than nine (9) feet by twenty (20) feet in size, exclusive of maneuvering and access area, permanently reserved for the temporary storage of one automobile, connected with a street by a surfaced driveway which affords ingress and egress for automobiles.
- 7.2.53 Ordinary High Water Line. The line on all lakes and streams which will be found by examining the beds and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation, as that condition exists on the effective date of this chapter, or as it may naturally change thereafter. PROVIDED, that in any area where the ordinary high water mark cannot be found, the ordinary highwater mark shall be the line of mean high water.
- 7.2.54 Ordinary Low-Water Line. The line representing mean low water.
- 7.2.55 Permanent Structure. A structure which is built of such materials and in such a way that it would commonly be expected to last and remain useful for four years or more.
- 7.2.56 Permit. That permit required by the Shorelines Act of 1971 (R.C.W. 90.58) as amended, for Substantial Development on shorelines, to be issued by the Administrative Authority subject to review by the Department of Ecology and the Attorney General's Office.
- 7.2.57 Person. An individual, firm, partnership, association, public or private corporation, estate, trust, receiver, syndicate, branch of government, social or fraternal organization, or any group or combination acting as a legal entity, and including any representative thereof.

- 7.2.58 Planning Commission. The Planning Commission of _____.
- 7.2.59 Responsible Official. The duly constituted (County of City Commission or Mayor) of _____.
- 7.2.60 SWS (Shoreline Works and Structures). The term includes bulkheads, seawalls, protective structures, piers, levees, dikes, channelization, docks, rip-rapping, and similar structures.
- 7.2.61 Setback from Water. The minimum horizontal distance from the ordinary high water line of a body of water to the nearest part of structure.
- 7.2.62 Shorelines. Shorelines means all of the water areas of _____ including reservoirs and associated Wetlands, together with the lands underlying them EXCEPT:
1. Shorelines of Statewide Significance;
 2. Shorelines on segments of streams upstream of a point where the mean annual flow is 20 cubic feet per second or less, and the Wetlands associated with such upstream segments; and
 3. Shorelines on lakes less than 20 acres in size and Wetlands associated with such small lakes.
- 7.2.63 Shorelines of Statewide Significance.
1. The lakes, whether natural, artificial, or a combination thereof, with a surface acreage of 1,000 acres or more measured at the ordinary high water line and associated Wetlands.
 2. Those streams, whether natural, artificial or a combination thereof, downstream of a point where the mean annual flow is measured at 200 cubic feet per second or more, or downstream from the first 300 square miles of drainage area; whichever is the longer, and associated Wetlands.
- 7.2.65 Sign. An identification, description, illustration, or device which is affixed to or located directly or indirectly, upon a structure or land, and which directs attention to a product, place, activity, person, institution, business or profession.
- 7.2.66 State Master Program. The cumulative total of all Master Programs approved or adopted by the Department of Ecology.
- 7.2.67 Street. A public right-of-way for roadway, sidewalk, and utility installation.
- 7.2.68 Structural Alteration. Any change to the supporting members of a structure including foundations, bearing walls or partitions, columns, beams, or girders, or any structural change in the roof or in exterior walls.

7.2.69 Structure. That which is built or constructed. An edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some manner and which requires location on the ground or which is attached to something having a location on the ground. Not included are residential fences, ornamental rockeries, and similar improvements of a minor character.

7.2.70 Substantial Development. This term means any development of which the total cost or fair market value exceeds one thousand dollars, or any development which materially interferes with the normal public use of the water or shorelines of the state, except that the following shall not be considered substantial development for the purpose of these regulations:

1. Normal maintenance or repair of existing structures or developments, including damage by accident, fire, or elements;
2. Construction of the normal protective bulkhead common to single family residences;
3. Emergency construction necessary to protect property from damage by the elements;
4. Construction of a barn or similar agricultural structure on wetlands;
5. Construction or modification of a navigational aide such as channel markers and anchor buoys;
6. Construction on Wetlands by an owner, lessee or contract purchaser of a single family residence for his own use or for the use of his family, which residence does not exceed a height of thirty-five feet above average grade level and which meets all requirements of the state agency or local government having jurisdiction thereof, other than requirements imposed pursuant to this chapter.
7. Construction of a dock, designed for pleasure craft only, for the private noncommercial use of the owner, lessee or contract purchaser of a single family residence, the cost of which does not exceed two thousand five hundred dollars.

7.2.71 Temporary Structure. A structure which is built of such materials and in such a way that it would commonly be expected to have a relatively short useful life of four years or less or is built for a purpose that would commonly be expected to be relatively short term.

7.2.72 Travel Trailers. A structure or vehicle designed for highway transport which is less than 35 feet in length and 8 feet wide and constructed to permit occupancy for dwelling or sleeping purposes.

7.2.73 Travel Trailer Court. A lot upon which two or more travel trailers, occupied for dwelling or sleeping purposes, are located.

7.2.74 Use. Purpose for which land or a structure is primarily designed, arranged or intended, or for which it is primarily occupied or maintained.

7.2.75 Water Dependency. The degree of dependency of any use of the land upon a shoreline location. This dependency is expressed as follows:

7.2.75.1 Water Dependent Uses. All uses that cannot exist in any other location and require a location on the shoreline by reason of the intrinsic nature of their operations, such as:

- a. Ferry and passenger terminals
- b. Terminal and transfer facilities for marine commerce and industry
- c. Marine construction, dismantling and repair
- d. Marinas - boat and seaplane
- e. Intakes and outfalls (when allowed under relevant legislation)
- f. Boat launch facilities
- g. Shoreline recreation - including parks, bike trails, beaches, etc.
- h. Aquaculture
- i. Marine and limnological research and education
- j. Floating home moorages
- k. Hydroelectric power plants

7.2.75.2 Water Related Uses. Those uses which do not depend upon a waterfront location to continue their operation but whose operation may be facilitated or enhanced by a shoreline location, such as:

- a. Any industries which receive or ship materials by water
 - b. Restaurants)
 - c. Motels)
 - d. Hotels)
 - e. Resorts)
 - f. Single and Multi-family residences)
 - g. Processing plants which require large volumes of water
- which, by their design and aesthetic appearance, facilitate use and enjoyment of a shoreline location

- 
- h. Thermal power plants
 - i. Sewage treatment plants

7.2.75.3 Non-water Related Uses. Those uses which do not need a waterfront location to operate though they may need easements or utility corridors for access to the water such as:

- a. Single and multi-family residences
- b. Commercial establishments
- c. Utility right-of-way
- d. Rail lines and yards
- e. Warehouses, staging and storage areas
- f. Restaurants
- g. Motels
- h. Hotels
- i. Petrochemical refineries
- j. Metal fabrication plants
- k. Streets and scenic roads
- l. Office buildings
- m. Irrigated agriculture
- n. Commercial parking lots or structures
- o. Freeways

7.2.74.4 Prohibited Uses. Those uses which have no relation to the water and whose operation is intrinsically harmful to the shorelines, such as:

- a. Sanitary landfills
- b. Garbage dumps
- c. Junkyards

7.2.76 Wetlands. Those lands extending landward for 200 horizontal feet from the ordinary high water line on natural and/or artificial lakes, swamps, marshes, bogs, streams, and either to the landward edge of the 100 year floodplain or 200 feet landward of the ordinary ordinary high water mark, whichever distance is greater. The term also includes submerged lands.

7.2.77 Yard. An open space on a lot which is unobstructed from the ground upward except as otherwise provided in this ordinance, or by vegetation.

7.2.78 Other terms used in these regulations have the same meanings as those found in the Shoreline Management Act of 1971, R.C.W. 90.58 or WAC 173-16 Final Guidelines, as amended.

7.2.79 Definitions for terms requiring definitions neither above found nor in R.C.W. 90.58 or WAC 173-16, as amended, shall be determined from the following sources, and if a conflict should arise

between sources, such definitions shall be established in the following priority:

1. Black's Law Dictionary, by Henry Campbell Black, 3rd Edition, Publisher's Editorial Staff, St. Paul, West Publishing Company, 1933 and subsequent amendments thereto.
2. Webster's Encyclopedic Dictionary, by Franklin J. Mein, Editor-in-Chief, Columbia Educational Books Inc., Chicago, 1941, and subsequent amendments thereto.

SECTION 8: Note: Section 8 of the Master Program has been deleted because of amendments to the preliminary draft.

SECTION 9. SHORELINE ENVIRONMENT MAP AND BOUNDARIES

- 9.1 The locations and boundaries of the four Environments are hereby established and adopted by reference as shown on the series of maps entitled "Shoreline Environment Map of _____" as further delineated by the Environmental _____ Boundary Description. The Shoreline Environment Map and the Environmental Boundary Description shall be dated with the effective date of the Master Program and any amendments thereto, signed by _____, and maintained on file with the City Clerk or the Auditor of Chelan County.
- 9.2 The following rules for interpretation of Environment boundaries on the Shorelines Environment Map shall apply:
 - 9.2.1 Environment boundaries indicated as approximately following the centerlines of right-of-way lines of streets, highways, alleys, natural features shall be construed to follow such centerlines or right-of-way lines or natural features.
 - 9.2.2 Environment boundaries indicated as approximately following platted lot lines or section lines shall be construed as following such lines.
 - 9.2.3 Environment boundaries indicated as approximately following city limits shall be construed as following such city limits on the effective date of this ordinance.
 - 9.2.4 In the event of changes in city limits, such changes in and of themselves shall have no effect upon the Environment boundaries.

SECTION 10. GENERAL SHORELINE USE ACTIVITY REGULATIONS

- 10.1 Nothing in these regulations shall constitute authority of any person to trespass or infringe upon private property or upon the rights of private ownership.
- 10.2 Nothing in these regulations shall be construed as eliminating the necessity of compliance with other applicable state and local regulations unless explicitly exempted herein.
- 10.3 Bonding of a project may be required as a condition of the shoreline permit to assure compliance with the conditions of the permit.
- 10.4 Emergency construction designed for shoreline protection may be permitted when life and/or property is in danger.

- 10.5 Upon completion of construction, installation, or maintenance of projects on shorelines, the disturbed area shall be restored to as near pre-project configuration as possible, replanted with appropriate vegetative cover and provided maintenance care until newly planted vegetation is established.
- 10.6 The disposal of solid waste in any Environment shall be in strict conformity to regulations adopted by the Chelan-Douglas Health District.
- 10.7 The use of car bodies, construction debris, and/or discarded pieces of equipment or appliance for stabilization of shorelines is prohibited.
- 10.8 The location and design of all proposed structures shall be such that obstruction of scenic views and vistas is minimized. This shall apply to protection of views from both public and private property. The Administrative Authority may require modification of proposed projects to insure this end.

SECTION 11. SHORELINE USES PERMITTED OUTRIGHT

The following use activities shall be permitted outright without application for a substantial development permit so long as other state and local regulations are complied with.

- 11.1 Those uses listed as exceptions in 7.2.70.

USE ACTIVITY REGULATIONS

The following seventeen sections are listed under headings which roughly correspond to the use activities headings in the Guidelines and to those in the Master Program.

There are normally four sets of regulations under each use activity heading, one set for each of the four Environments used to designate the shorelines. In other words, there are regulations for a given use in the Urban, Rural, Conservancy, and Natural Environments.

RESOURCE BASED USE ACTIVITIES

(Sections 12 - 15)

SECTION 12. AGRICULTURE

a. The Act specifically exempts the "Construction of a barn or similar agricultural structures on Wetlands" from the permit system. The regulations below therefore apply, only to those agricultural activities and practices which, because they are not specifically exempted by the law are implicitly subject to control under it. In addition, the requirements of the applicable local zoning district as amended shall apply.

12.1 Urban Environment

- 12.1.1 Agriculture may be permitted on Urban shorelines, subject to the applicable zoning ordinance.
- 12.1.2 Agriculture in the Urban Environment shall comply with Section 12.2 below.

12.2 Rural Environment

- 12.2.1 Agriculture may be permitted on rural shorelines subject to the applicable zoning ordinance.
- 12.2.2 Any person proposing to undertake or engage in agricultural operations which are carried on as a normal or systematic part of the raising of crops or livestock on shorelines and which materially interfere with the normal public use of the water or shorelines of the state shall apply for a Permit. Such operations include the establishment of feeding pens or other confinement lots for livestock of any kind equivalent to 10 or more head of mature cattle which concentrate their wastes in a small area.

12.2.3 A Permit for feeding pens or other confinement lots may be granted subject to the following minimum conditions:

- a. Provide at least 100 feet of vegetated area between confinement lots and water bodies.
- b. Locate confinement lots both away from hillsides leading directly to water bodies and outside the 100 year floodplain, where defined.
- c. Select a confinement lot site with a minimum of four feet between the ground surface and the upper surface of the water table.
- d. Where applicable, the operational guidelines for livestock waste management found in "Livestock Waste Management Guidelines" (E.M. 3479), W.S.U. June 1971 may be made conditions of granting the permit.

12.3 Conservancy Environment

Agriculture may be permitted on Conservancy shorelines provided that its operations do not involve major construction or other activities which substantially change the character of the Environment.

Where permitted on the Conservancy shorelines agriculture use activities shall comply with Section 12.2 above.

12.4 Natural Environment

Non-commercial agriculture may be permitted on Natural shorelines, provided that its operations do not have a harmful ecological impact and that no extensive clearing, construction or other operation which substantially changed the character of the Environment is necessary.

Where permitted on Natural shorelines, agriculture use activities shall comply with Section 12.2 above.

SECTION 13. AQUACULTURE

The provision of the applicable zoning district shall apply in addition to those of this Section. Any person proposing to engage in aquacultural practice which materially interferes with the normal public use of the Shorelines of the State shall apply for a Permit.

Practices requiring Permits do not include normal harvesting or maintenance practices but do include:

- a. Construction of facilities,
- b. Disposal of solid or liquid wastes, such as may result from confined rearing operations for salmon or other aquatic life, in quantities which may cause violations of the State Water Quality Standards and criteria.

13.1 Urban Environment

Aquaculture may be permitted on Urban shorelines.

13.2 Rural Environment

Aquaculture may be permitted on Rural shorelines.

13.3 Conservancy Environment

Aquaculture may be permitted on Conservancy shorelines provided that its operations do not have a harmful ecological impact and do not materially interfere with the normal public use of the waters or Shorelines of the State, except that unlimited recreational navigation over the surface of the waters shall not be construed as normal public use.

13.4 Natural Environment

Aquaculture is prohibited on Natural Shorelines.

SECTION 14. FOREST MANAGEMENT

a. The Shorelines Act of 1971 specifies that in most instances only 30% of the merchantable trees may be removed in harvests within the Shorelines of Statewide Significance. Thus, a shoreline permit will be required for proposed timber harvests within 200 feet of Shorelines of Statewide Significance to assure compliance with this provision of the law. The policies and regulations listed in this Section will also apply to such proposed harvests.

b. In the case of all other Shorelines of the State, a shoreline permit for timber harvest will only be required when bridges, culverts, road construction, or similar development involving costs in excess of \$1,000 are proposed within 200 feet of the shoreline.

c. All forest management practices are required to comply with the regulations of this Section regardless of whether or not an individual project requires a permit.

d. The Washington Forest Practice Regulations prepared by the Forest Practice Board must be complied with in all timber harvesting activities within Chelan County.

14.1 Urban Environment

14.1.1 Timber harvesting may be permitted along Urban shorelines subject to State Forest Practice Regulations.

14.1.2 Only selective commercial timber cutting, as defined in R.C.W. 90.58.150 shall be allowed on an Urban shoreline. (Maximum of 30% of merchantable trees in any ten year period.)

14.2 Rural Environment

Timber harvesting may be permitted along rural shorelines subject to Sections 14.1.1 and 14.1.2.

14.3 Conservancy Environment

14.3.1 Timber harvesting may be permitted along Conservancy shorelines subject to Sections 14.1.1 above and 14.3.2 below.

14.3.2 Roads shall either be maintained so as to minimize erosion or be permanently closed, water barred, reforested, or planted and seeded with appropriate ground cover.

14.4 Natural Environment

14.4.1 Harvesting of timber shall be permitted on Natural shorelines only where it is necessary to:

- a. Preserve a desired pre-climactic state of a plant succession, such as a stand of Douglas Fir, which would eventually be superseded by other species if no cutting were done.
- b. Prevent an epidemic of insect or disease infestations in the area or to adjoining areas when no other means of epidemic control will work.
- c. Clean-up and restore an area devastated by disaster such as extensive windfall or fire.

14.4.2 In instances where timber harvesting on Natural shorelines is permitted, monetary value of the timber shall not be used to justify the timber harvesting but only to determine the degree and economic feasibility of restorative work.

14.4.3 In instances where timber harvesting is permitted on Natural shorelines, it shall be subject to State Forest Practices Regulations and Section 14.1 and 14.3 above.

SECTION 15. MINING

15.1 Urban Environment

Mining operations may be permitted in the Urban Environment subject to regulations 15.3.2 through 15.3.3 below.

15.2 Rural Environment

Mining operations may be permitted in the Rural Environment subject to regulations 15.3.2 and 15.3.3 below.

15.3 Conservancy Environment

15.3.1 Mining operations which do not substantially change the character of the Environment may be permitted in the Conservancy Environment.

15.3.2 A Permit for mining operation may be granted subject to the following regulations:

- a. The operator of a surface mine, which is subject to the 1970 Surface Mined Land Reclamation Act shall present to the Administrative Authority one copy each of the surface mining plan and of the reclamation plan as provided in R.C.W. 78.44.
- b. Any mineral removal alongside, upstream or downstream from spawning areas shall be in conformance with the technical provisions of the Hydraulics Project Approval by the Washington State Department of Fisheries.

15.4 Natural Environment

Mining operations which do not change the character of the Environment may be permitted in the Natural Environment subject to Section 15.3.2 above.

LAND USE ACTIVITIES

(Section 16 through 20)

SECTION 16. RESIDENTIAL

- a. The Act specifically exempts "construction on wetlands by an owner, lessee or contract purchaser of a single family residence for his own use or for the use of his family . ." from its Permit requirements. However, even though single family homes are not substantial development, the intent of the Act clearly establishes a basis for regulating them. (R.C.W. 90.58.020 and 90.58.100).
- b. As provided in Section 5.4, of these regulations, subdivision of land must comply with the applicable subdivision regulations. Any person proposing to subdivide land located in the shoreline area shall comply with the lot configuration requirements of these regulations.
- c. When the specified minimum lot areas listed in this Section are less than one acre the areas and widths shall be increased in relation to lot slope as given below.

Average Lot Slope

Percentage Increase in
Minimum Lot area

0 - 10%
11 - 15%
16+

0%
25%
50%

One and two family residences may be exempt from slope requirements if adequate provisions are made for parking, health regulations, and soil stabilization.

- d. Unless specified below, the minimum residential setback from the water shall be identical to the rear yard setback required by the applicable zoning ordinance (as measured from the ordinary high water line); except where the average slope of the 50' portion of the lot abutting the water exceeds 100% and bedrock is exposed at the surface, the minimum setback may be reduced to zero.

16.1 Urban Environment

16.1.1 Multi-family residences may be permitted in the Urban Environment subject to the applicable zoning ordinance and the following regulations.

16.1.2 A permit for a multi-family residence may be granted subject to the following regulations:

- a. No residential structure shall exceed 35 feet in height above average grade level.
- b. All utility lines including electricity, communications, and street lighting, shall be underground, except where the presence of bedrock or other obstructions makes undergrounding prohibitive. Above-ground lines in existence at the time of adoption of the Master Program and not coming under the above exception shall be removed during normal replacement processes. (Subject to Section 25.1.3).
- c. Parking lots with spaces for 10 or more cars shall not be located within 50 feet of the ordinary high water line.

16.1.3 Single and two family residences may be permitted in the Urban Environment subject to Section 16.1.2a through 16.1.2c and the applicable zoning ordinance.

16.2 Rural Environment

16.2.1 Regulations 16.1.2a-c shall apply in the Rural Environment.

16.2.2 Single and two family residences may be permitted in the Rural Environment subject to the following regulations and the applicable zoning ordinance:

- a. Section 16.1.2a through 16.1.2c shall apply.

16.3 Conservancy Environment

16.3.1 Multi-family and two family residences may be permitted on Conservancy shorelines as a Planned Development under the appropriate zoning ordinance.

16.3.2 Single family residences may be permitted on Conservancy shorelines, subject to the following regulations:

- a. Minimum lot area shall be as specified in the applicable zoning ordinance.
- b. Minimum lot width at the property line nearest the high water line shall be 100 feet.
- c. No residential structure shall exceed a height of 25 feet above average grade level.
- d. Regulation 16.1.2c shall apply.

16.4 Natural Environment

- 16.4.1 Multi-family and two family residences shall be prohibited in the Natural Environment.
- 16.4.2 Single family residences may be permitted in the Natural Environment subject to the following regulations:
 - a. Minimum lot area shall be one acre.
 - b. Minimum lot width at the property line nearest ordinary high water mark shall be 200 feet.
 - c. No residence may be constructed closer than 50 feet from the ordinary high water mark.
 - d. No residence may exceed a height of 15 feet above the average grade level.
 - e. Regulation 16.1.2b shall apply.
 - f. All residences shall be of inconspicuous appearance such that they either blend with their surroundings or at a minimum do not detract from them.

SECTION 17. COMMERCIAL

17.1 Urban Environment

Commercial development such as those defined as "Prohibited Uses" shall be prohibited in the Urban Environment. All other commercial development is permitted in the Urban Environment subject to the conditions of the applicable zoning ordinance and those listed in this ordinance.

- 17.1.1 A Permit may be issued subject to the provisions of these regulations and the applicable zoning ordinance.
- 17.1.2 Commercial parking lots or structures may be permitted on the shorelines of the Urban Environment as conditional use under the appropriate zoning ordinance.
- 17.1.3 Commercial structures shall be set back a minimum of 25 feet from the ordinary high water line and/or from a Natural Environment boundary except for uses such as those listed in Section 7.2.75 (a)(b)(c) and (k).
- 17.1.4 Commercial structures shall not exceed 35 feet in height above average grade level.

17.2 Rural Environment

Commercial development on the Rural Environment shall be prohibited except for those defined as "Water Dependent" and "Water Related" subject to the conditions of the applicable zoning ordinance and those listed in these Regulations.

17.2.1 Section 17.1.1, .2, .3, and .5 shall apply in the Rural Environment.

17.2.2 Commercial structures shall not exceed 25 feet in height above average grade level and be of inconspicuous appearance so that they either blend with their surroundings or at a minimum do not detract from them.

17.3 Conservancy Environment

Commercial development in the Conservancy Environment shall be prohibited except for those defined as "Water Dependent" and "Water Related" subject to the conditions of the applicable zoning ordinance and those listed in these Regulations.

17.3.1 Section 17.1.1,2, .3, and .5 shall apply except the minimum setback for a commercial parking lot shall be 100 feet and for other permitted commercial uses not exempted in .3 shall be 50 feet.

17.3.2 Commercial structures permitted in the Conservancy Environment shall not exceed 25 feet in height above average grade level and be of inconspicuous appearance so that they either blend with their surroundings or at a minimum do not detract from them.

17.4 Natural Environment

Commercial development activity shall be prohibited in the Natural Environment.

SECTION 18. SIGNS

18.1 No sign having any of the following characteristics may be constructed within any shoreline Environment:

- a. Signs which significantly obstruct visual access to the water or to scenic vistas.
- b. Signs which exceed the building setback requirements of the applicable zoning ordinance and of Section 17. above.
- c. Signs advertising activities that are illegal under state or federal laws or regulations in effect at the location of such signs or at the location of such activities.

- e. Signs that are not reasonably clean and in good repair.
 - f. Signs that are not securely affixed to a substantial structure.
 - g. Signs which attempt or appear to attempt to direct the movement of traffic or which interfere with, imitate or resemble any official traffic sign, signal or device.
 - h. Signs which prevent the driver of a vehicle from having a clear and unobstructed view of official signs and approaching or merging traffic.
 - i. Signs which contain, include, or are illuminated by any flashing, intermittent, or moving light or lights.
 - j. Signs which use any lighting in any way unless it is so effectively shielded as to prevent beams or rays of light being directed at any portion of a public street or body of water, or is of such low intensity or brilliance as not to cause glare or to impair the vision of the driver of any boat or motor vehicle, or to otherwise interfere with any driver's operation of a boat or motor vehicle.
 - k. Signs which move or have any animated or moving parts.
 - l. Signs which are erected or maintained upon trees or painted or drawn upon rocks or other natural features.
 - m. Off-premise advertising signs in the Natural Environment.
- 18.2 Whenever any existing sign failing to conform to this section is moved, replaced, or substantially altered, such sign shall be brought into conformance with this ordinance.

SECTION 19. MARINAS

19.1 Urban Environment

19.1.1 Marinas which can be sited, designed and built in such a way as to minimize conflicts with other Urban uses of shorelines may be permitted on Urban shorelines.

19.1.2 Section 19.2.2 shall apply.

19.2 Rural Environment

19.2.1 Marinas which can be sited, designed and built in such a way as to minimize conflicts with other uses of Rural shorelines may be permitted on Rural shorelines.

19.2.2 A Permit for marina development, construction, expansion and/or alteration or, any phase thereof which constitutes a complete project, may be granted subject to the following regulations.

- a. The portions of the "Criteria Governing the Design of Marinas . . . for Protection of Fish and Shellfish Resources" adopted by the Washington State Department of Fisheries in 1971 which are applicable to fresh water, shall be utilized in preparation of conditions for granting a Permit.
- b. Parking facilities shall be set back from the ordinary high water mark a minimum of 25 feet.
- c. Sewage pump-out or dump station for marina vehicles approved by the Health District shall be installed at the beginning of operations of a new marina or of an expansion of an existing marina.

19.3 Conservancy Environment

Marinas may be permitted on Conservancy shorelines subject to Section 19.2 above.

19.4 Natural Environment

Marinas shall be prohibited on Natural shorelines.

SECTION 20. PORTS AND INDUSTRIES

20.1 Urban Environment

Port facilities, water dependent, and water-related industries may be permitted on Urban shorelines subject to the applicable zoning ordinance and the following regulations:

- 20.1.1 Any person proposing a development, expansion or alteration, or any phase thereof not exempted herein, of a port facility or water related industry, shall apply for a Permit.
 - a. The conditions of issuance of required Federal and State permits may be considered in issuance of a Permit.
 - b. Facilities and structures for ports and water-related industries of more than 35 feet above average ground grade shall be designed to minimize obstructions of views from adjoining residential or recreational developments.

20.2 Rural Environment

20.2.1 Ports or water dependent industries may be permitted on Rural shorelines, subject to Section 20.1.1 and the applicable zoning ordinance.

20.3 Conservancy Environment

20.3.1 Ports or water dependent industries may be permitted on Conservancy shorelines subject to Section 20.1.1 and the applicable zoning ordinance.

20.4 Natural Environment

20.4.1 Ports and Industries shall be prohibited on Natural shorelines.

SHORELINE MODIFICATION USE ACTIVITIES

(Sections 21 through 23)

SECTION 21. SHORELINE WORKS AND STRUCTURES (SWS)

Construction of a normal protective bulkhead common to single family residences at or near the ordinary high water line is exempt from the Permit requirements of this ordinance (R.C.W. 90.58.030(3)(ii) and WAC 173-16-060(11). Private non-commercial docks* for single family homes are also exempt from the Permit requirements of the ordinance (R.C.W. 90.50.030(3)(e)). Where permitted, SWS shall comply with all applicable Federal, State and other local regulations. (*Costing less than \$2,500.00)

21.1 Urban Environment

SWS may be permitted on Urban shorelines subject to the following regulations:

- 21.1.1 The portions of the Criteria Governing the Design of Bulkheads, Landfills and Marinas . . . "for Protection of Fish and Shellfish Resources" applicable to fresh water, adopted by the Washington State Department of Fisheries, 1971, may be utilized in preparation of conditions for granting a Permit.
- 21.1.2 The builder of any SWS shall be responsible for adverse effects on the property of others caused by his construction and shall take all necessary actions to minimize such effects.
- 21.1.3 Joint use dock facilities shall be required for any subdivisions, multi-family residences, or commercial and industrial enterprises in close proximity to each other which are initiated after the effective date of the ordinance.
- 21.1.4 SWS shall be designed and constructed to blend with surrounding development insofar as feasible.

21.2 Rural Environment

SWS may be permitted on Rural shorelines subject to the regulations given below; provided, they do not substantially change the character of the Environment and are a part of a project defined as "water Dependent or Water Related."

- 21.2.1 Section 21.1.1 through .4 above shall apply on Rural Shorelines.

21.2.2 Channelization of stream courses is prohibited except as provided in R.C.W. 90.58.030(3).

21.3 Conservancy Environment

SWS may be permitted on Conservancy shorelines subject to the regulations given below, provided that they do not substantially change the character of the Environment, they are a part of a project defined as "Water Dependent or Water Related" and the project could be rendered impossible or completely unfeasible without the SWS.

21.3.1 In those limited instances where permitted, Sections 21.1.1 through .4 above shall apply on Conservancy shorelines.

21.3.2 Channelization of stream courses is prohibited except as provided in R.C.W. 90.58.030(3)(e).

21.4 Natural Environment

SWS shall be prohibited on Natural shorelines except where necessary to protect or preserve the character of this Environment.

21.4.1 In those limited instances where permitted, Sections 21.1.1 through .4 above shall apply on Natural shorelines.

21.4.2 Channelization of stream courses is prohibited except as provided in R.C.W. 90.58.030(3)(e).

SECTION 22. LANDFILLS

Disposal of solid wastes is not considered landfilling for the purposes of this Section (see Section 24 below). Where permitted, landfills shall comply with applicable federal, state and local regulations.

22.1 Urban Environment

Landfills may be permitted on Urban shorelines subject to the following regulations:

22.1.1 The portions of the "Criteria Governing the Design of Landfills . . . for Protection of Fish and Shellfish Resources" applicable to fresh water adopted by the Washington State Department of Fisheries in 1971 may be utilized in preparation of conditions for granting a permit.

- 22.1.2 Landfills shall consist of clean materials with a minimum potential for degrading water quality. Landfills shall be protected against erosion with retaining walls or other mechanisms to deter erosion or in the case of fills above the ordinary high water line by adequate retaining vegetation established during the first growing season following completion of the landfill.
- 22.1.3 In all cases adequate precautions shall be required to insure compliance with state water quality standards.
- 22.1.4 Filling solely to provide land for septic tank drainfields shall be prohibited.
- 22.1.5 Residential Uses: There are properties on the shorelines of Chelan County, e.g. Lake Chelan, where the water level is artificially regulated for hydroelectric generation purposes, where landfills are desirable, appropriate, and do not infringe on neighboring properties, navigation and recreation possibilities. When a non-conforming lot legally exists on the effective date of this ordinance, or where no building site meeting setback requirements of the Master Program and the applicable zoning ordinances exist, landfills below the ordinary high water line may be permitted when the applicant's ownership includes underwater property subject to the following provisions of these regulations and the following:
- a. The intent of this subsection is to permit reasonable residential use of such property, minimize private taking of public water surface, and minimize navigation restrictions.
 - b. For the purpose of this subsection, a minimum building site shall be 2000 square feet per dwelling unit with a reasonable depth to width ratio and a maximum slope of 20%.
 - c. Where no public sewer system approved by the Chelan Douglas Health District* is present, sufficient lot area to contain an on-site sewage disposal system approved by the Health District must be present or available prior to landfilling.

*Among the Health District requirements are three worthy of note in the present context; drainfields are not permitted within 100 ft. of surface waters, nor where the bottom of the trench is less than four (4) feet above the water table or impermeable soils, nor on slopes exceeding 20%.

- e. The dimensions of the landfill, (area, height above and below the ordinary high water line, width, and length) shall be the minimum necessary to provide one minimum building site per lot
- f. Where a pre-existing adjacent landfill legally exists the proposed landfill shall be physically tied to that landfill. The lakeward edge of the proposed landfill shall be reasonably located with respect to the existing landfill so as to blend with the artificial shoreline subject to 22.1.5d.
- g. In instances where unique circumstances prohibit residential landfills that would conform to the requirements of 22.1.5a through d., a reasonable variance may be granted as provided in Section 32.

22.1.6 Non-Residential Uses:

Landfills below the ordinary high water line which are a necessary part of a project defined as "Water Dependent" may be permitted when the applicant's lot includes under-water property subject to other provisions of this ordinance and the following:

- a. The intent of this subsection is to permit reasonable Water Dependent uses, minimize private taking of public water surface, and minimize navigation restrictions.
- b. The dimensions of the landfill (area, height above and below the ordinary high water line, width and length) shall be the minimum necessary to accomplish the required purpose.
- c. Where a pre-existing adjacent landfill legally exists, the proposed landfill shall be physically tied to that landfill. The lakeward edge of the proposed landfill shall be reasonably located with respect to the existing landfill so as to blend with the artificial shoreline subject to 22.1.6b.

22.1.7 Reclamation of Eroded Land:

Landfills for the purpose of reclaiming land eroded after the effective date of the Act (June 1, 1971) may be permitted subject to the other provisions of this ordinance and the following:

- a. If permitted the proposed landfill shall have no harmful effects on nearby property.

b. The dimensions of the proposed landfill shall be the minimum consistent with reclaiming eroded land.

c. Sections 22.1.1 through .4 shall apply.

22.2 Rural Environment

Landfills may be permitted on Rural shorelines subject to the regulations of Section 22.1 above.

22.3 Conservancy Environment

In those limited instances where permitted on Conservancy shorelines, landfills may be permitted subject to the regulations of Section 22.1 above.

22.4 Natural Environment

Landfills shall be prohibited on Natural shorelines.

SECTION 23. DREDGING

Dredging solely to obtain fill materials is prohibited in all Environments.

23.1 Urban Environment

Dredging operations may be permitted on Urban shorelines subject to the following regulations:

23.1.1 Operations not requiring federal or state permits may have similar standards imposed as conditions of obtaining a Permit.

23.1.2 Dredge spoils exceeding the Environmental Protection Agency criteria for toxic sediments shall be disposed of on land. The results of chemical and physical analysis of the spoil material shall be forwarded to the Administrative Official prior to the beginning of dredging operations.

23.1.3 Dredge spoils disposed of on land shall be placed only in areas selected to minimize detrimental effects on the shoreline environment. In particular, the area of wetlands affected shall be kept to a minimum in the selection of suitable disposal sites.

23.1.4 Dredge spoil disposal sites shall be completely enclosed by dikes of sufficient capacity to allow for the settling of sediments before entrapped water leaves the diked area.

The outside face of the dikes shall be sloped at 1-1/2 to 1 (horizontal to vertical) or less and seeded with grass or otherwise protected to prevent erosion. Outlet structures in dikes shall be placed so that water discharged within the dikes will take the longest possible time to reach the outlet and shall be designed so that only the clearest water is allowed to return to the receiving waters.

23.1.5 Disposal sites which have been completely filled shall be drained, tilled and planted by the second growing season following filling unless specific plans for other uses of the filled land are submitted to the Administrative Official within one year of filling.

23.1.6 Placing of dredge spoils in water areas shall be prohibited except for improvement of fish habitat.

23.2 Rural Environment

Dredging operations for project defined as "Water Dependent" may be permitted on Rural shorelines subject to the following regulations:

23.2.1 Section 23.1 shall apply on Rural shorelines.

23.3 Conservancy Environment

Dredging operations necessary for project defined as "Water Dependent" may be permitted on Conservancy shorelines subject to the following regulations:

23.3.1 Section 23.1 shall apply on Conservancy shorelines.

23.4 Natural Environment

Dredging operations shall be prohibited on Natural shorelines except where necessary to protect or enhance the character of this Environment.

23.4.1 Section 23.1 above shall apply on Natural shorelines in those limited instances where permitted.

GOVERNMENTAL USE ACTIVITIES

(Sections 24 through 26)

SECTION 24. SOLID WASTE DISPOSAL

24.1 All Environments

Operation of solid waste disposal sites shall conform to Chelan-Douglas Health District's Regulations Governing Solid Waste Disposal Facilities.

SECTION 25. UTILITIES

25.1 All Environments

25.1.1 Underground utility systems, such as pipelines, sewer lines, water lines, and similar facilities may be permitted on all shorelines; provided: all such facilities shall be designed and constructed to sound engineering standards to prevent future environmental degradation.

25.1.2 A Permit may be granted subject to the following regulations:

- a. All utility systems shall be underground except where the presence of bedrock or other obstructions makes undergrounding prohibitive; PROVIDED: electric transmission lines in excess of 15 KV are exempted from undergrounding.
- b. Where such utility systems cross shoreline areas, clearing necessary for installation or maintenance shall be kept to the minimum width necessary to prevent interference by trees and other vegetation with proposed transmission facilities.
- c. Upon completion of installation of such utility systems or of any maintenance project which disrupts the environment, the disturbed area shall be regraded to compatibility with the natural terrain and replanted to prevent erosion and provide an attractive, harmonious vegetation cover.

SECTION 26. ROADS AND RAILROADS

- a. Where permitted in shorelines areas, road alignments shall be set back from the ordinary high water line a sufficient distance to

leave a useable shoreline area in its natural condition unless it is technically and economically infeasible.

- b. Logging roads, being a special category of roads, are regulated in Section 14 on Forest Management.
- c. The construction standards of the appropriate jurisdiction shall be conditions for granting a Permit subject to the regulations of this Section.
- d. Issuance of a Permit for public roads shall be contingent upon provision of adequate visual access to scenic vistas. Adequate visual access may include turn-outs, rest areas and picnic areas.
- e. Design for stream crossings shall be in the following order of preference: bridges with pedestrian crossings and pedestrian underpasses, bridges with pedestrian crossings, bridges, large culverts, low-water rock-surfaced fords, and small culverts.

26.1 Urban Environment

Where unavoidable, and/or where necessary to cross a body of water, construction of public roads and bridges may be permitted on Urban Shorelines.

26.2 Rural Environment

Section 26.1 above shall apply to Rural shorelines.

26.4 Natural Environment

Roads other than access roads to private residences shall be prohibited on Natural shorelines except where unavoidably necessary to cross a body of water or wetlands.

LEISURE USE ACTIVITIES

(Sections 27 and 28)

SECTION 27. ARCHEOLOGICAL AREAS AND HISTORICAL SITES

The following regulations shall apply to all four Environments:

- 27.1 Where a professional archeologist or historian, recognized by the State of Washington, has identified an area or site as having significant value, or where an area or site is listed in either national or state historical registers, issuance of a Substantial Development Permit which poses a threat to the site may be postponed. The period of postponement shall be of reasonable length to allow investigation of public acquisition potential and/or retrieval and preservation of significant data.
- 27.2 In the event that unforeseen factors necessitate rapid action to retrieve or preserve artifacts or data, identified under Section 27.1 above, the project should be eligible for an emergency permit under the requirements of these regulations.
- 27.3 Any retrieval, preservation, or site development related to sites or areas identified under Section 27.1 above which exceed \$1,000 in total cost, not falling under Section 27.2 above shall require a Permit. Issuance of a Permit shall be contingent upon compliance with all provisions of this ordinance.
- 27.4 Developers shall notify local governments of any possible archeological data uncovered during excavations.

SECTION 28. RECREATION

- a. A Permit may be issued subject to the regulations of this ordinance and a determination of the capacity of the local environment to withstand the increased use pressures involved. This determination shall be made by the applicant to the satisfaction of the Administrative Authority.
- b. Except for those facilities which require a location adjacent to a body of water, setback and height regulations on all shorelines for recreational facilities shall correspond to those for residential development (Section 16.)

28.1 Urban Environment

Any recreational use may be permitted on Urban shorelines subject to the following regulations:

- 28.1.1 Parking lots with spaces for 10 or more cars shall not be located within 25 feet of the ordinary high water mark.
- 28.1.2 A recreational facility or structure which markedly changes or detracts from the character of the local environment shall be prohibited.
- 28.1.3 Access roads to recreational facilities shall be subject to the regulations for Roads in Section 26.
- 28.1.4 Access roads and parking lots shall be paved.
- 28.1.5 The design, construction and operation of recreational facilities shall be such that undue adverse impacts on adjacent properties are minimized.

28.2 Rural Environment

Medium intensity recreational uses such as golf courses, fully developed campgrounds swimming beaches, picnic facilities, etc., may be permitted on Rural shorelines, subject to the following regulations:

- 28.2.1 Section 28.1.1 through 28.1.5 above shall apply.
- 28.2.2 Parking lots shall not be located within 25 feet of the ordinary high water mark.

28.3 Conservancy Environment

Low-intensity recreational uses, such as nature trails, unimproved beaches, semi-developed vehicular-access campgrounds, etc., may be permitted on Conservancy shorelines, subject to the following regulations:

- 28.3.1 Section 28.1.4 and 28.1.5 above shall apply.
- 28.3.2 A recreational facility or structure which detracts from the character of the local environment shall be prohibited.
- 28.3.3 Parking facilities shall remain outside the shoreline area.

28.4 Natural Environment

- 28.4.1 Very low intensity, diffuse recreational uses, such as primitive campgrounds, trails and hunting areas, etc., may be permitted on Natural shorelines subject to Sections 28.3.1 and 28.3.2 above.
- 28.4.2 Roads and parking facilities shall not be located within the shoreline area.

SECTION 4. RELATIONSHIP TO EXISTING COMPREHENSIVE PLANS, ZONING ORDINANCES, AND SUBDIVISION REGULATIONS.

The Shorelines Master Program of _____ shall bear the following relationship to existing land development controls.

- 4.1 The Shorelines Master Program Of _____ shall, for the purposes of R.C.W. 35.63, (City Planning Enabling Act) or R.C.W. 36.70, (County Planning Enabling Act) be considered a supplement to the Comprehensive Plan of _____.
- 4.2 The Shoreline Master Program Use Regulations of _____ shall, for the purposes of R.C.W. 35.63 or R.C.W. 36.70, be considered a set of use regulations applying only to shorelines areas in addition to the provisions of the Zoning Ordinance of _____.
- 4.3 The Subdivision Regulations of _____ are hereby declared to continue in full force and effect as applies to the shoreline areas of _____.
- 4.4 Where a conflict between the provisions of any of the above documents is determined to exist as applied to shoreline areas, the more stringent provisions shall apply.

SECTION 5. APPLICABILITY AND COMPLIANCE

- 5.1 Applicability. These Use Regulations shall apply to all uses of and activities on the Shorelines, the Shorelines of State-wide Significance, and the associated Wetlands.
- 5.2 Use of Land and Structures. No structure or lot shall hereafter be used or occupied and no structure or part thereof shall be erected, moved, reconstructed, extended, enlarged, or altered except in compliance with the provisions of this and any other pertinent ordinance.
- 5.3 Maintenance of Minimum Requirements. No lot area, yard, or ~~other open space, or required off-street parking or loading area~~ existing on or after the effective date of this ordinance shall be reduced in area, dimension, or size below the minimum required by this ordinance.
- 5.4 Subdivision of Land. The platting or development of land, ~~whether by the adopted subdivision procedures of _____~~ or as authorized in accordance with the Laws of Washington, shall comply with the minimum lot size in each Environment; and no plat or proposed subdivision of land in an Environment prohibiting such subdivision shall be considered by the (Legis. Body) _____ until after an application for Environmental design ~~ation~~ change to an Environment permitting such development has been received and approved by the (Legis. Body) _____ and the State Department of Ecology.

SECTION 6. SEVERABILITY

The provisions of this ordinance are hereby declared to be severable. If any section, subsection, paragraph, subparagraph, sentence, clause, or phrase of this ordinance is adjudged by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 7. DEFINITIONS

- 7.1 As used in this ordinance, the masculine includes the feminine and neuter, the singular includes the plural, the present includes the future, the word shall is mandatory and not permissive. Nothing in these definitions shall be construed to exempt any use or activity from complying with the provisions of other State and local regulations.
- 7.2 The following words and phrases, unless the context otherwise requires, shall mean:
- 7.2.1 Access. The means or way by which pedestrians or vehicles have entrance to and exit from a property or body of water.
- 7.2.2 Accessory structure or use. A structure or use, incidental, appropriate, and subordinate to the main use of the property, and which is located on the same lot or in the same building with the main use.
- 7.2.3 Act. The Shorelines Management Act of 1971 (R.C.W. 90.58) as amended.
- 7.2.4 Administrative Authority. The person designated by the Responsible Official.
- 7.2.5 Agriculture. The tilling of the soil, the raising of crops, horticulture, gardening, keeping or raising of livestock and poultry for commercial purposes, and any agricultural industry or business such as dairies, nurseries, greenhouses, or similar uses.
- 7.2.6 Aquaculture. The culture or farming of food or sport fish.
- 7.2.7 Alley. A narrow street which affords only a secondary means of access to property abutting thereon.
- 7.2.8 Automobile wrecking yard. An area in which is conducted the dismantling and/or wrecking of used motor vehicles, machinery, or trailers, or the storage or sale of dismantled, obsolete, or wrecked vehicles or their parts or the storage of motor vehicles unable to be moved under the power of the vehicle.

- 7.2.9 Board. The _____ Board of Adjustment.
- 7.2.10 Boathouse. Any structure designed for the purpose of protecting or storing boats for non-commercial purposes. Boathouses shall not be used for human habitation.
- 7.2.11 Building. A structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind.
- 7.2.12 Carport. An accessory building or portion of a main building used as a covered shelter for an automobile and open on two or more sides.
- 7.2.13 Channel. A natural or artificial watercourse of perceptible extent with a definite bed and banks to confine and conduct continuously or periodically flowing water. Thus, channel flow is that water which is flowing within the limits of the defined channel.
- 7.2.14 City. The City of _____.
- 7.2.15 Commission. The _____ Planning Commission.
- 7.2.16 Comprehensive Plan. Any map, plan or policy statement other than the Shorelines Master Program pertaining to the development of land use, streets and roads, or public utilities and facilities, for all or any portion of the territory of _____ which has been officially adopted by the Planning Commission of _____ and the _____ (Legislative Body) _____.
- 7.2.17 County. Chelan County, State of Washington.
- 7.2.18 Department. The _____ Planning Department.
- 7.2.19 Development. The use consisting of the construction or exterior alteration of a structure or structures, dredging, drilling, dumping, filling, removal of natural resources, bulkheading, driving of piling, placing of obstructions, or any project of a permanent or temporary nature subject to regulation under the Act.
- 7.2.20 Dwelling, multi-family. A building containing three or more dwelling units.
- 7.2.21 Dwelling, single family. A detached building containing one dwelling unit.

- 7.2.22 Dwelling, two-family. A detached building containing two dwelling units.
- 7.2.23 Dwelling Unit. A building or portion thereof designed for occupancy by one family having cooking and toilet facilities.
- 7.2.24 Environment. This term has two meanings in the Master Program. They are distinguished from one another as follows:
- 7.2.24.1 Environment. This is the more common usage of the term meaning the natural physical surroundings unique to a given location. In shoreline areas the term includes marshes, swamps, streamways and other wetlands directly interrelated and interdependent with the stream or lake proper.
- 7.2.24.2 Environment This usage is unique to the Act, the Master Program, and the Use Regulations and has quite specific meaning. This term is normally preceded by one of four words (Urban, Rural, Conservancy, or Natural) both of which are always capitalized herein. Each Environment represents a specific type of geographic area having common characteristics, defined boundaries, and specific regulations governing use activities; all as required by the Act.
- 7.2.24.3 Urban Environment - an area of high intensity land use including residential, commercial, and industrial development in addition to open space and public uses.
- 7.2.24.4 Rural Environment - an area characterized by intensive agricultural and recreational uses and those areas having a high capability to support active agricultural practices and intensive recreational development.
- 7.2.24.5 Conservancy Environment - an area characterized by a potential for diffuse outdoor recreation activities, timber harvesting on a sustained yield basis, passive agricultural uses such as pasture and range lands, and other related development.
- 7.2.24.6 Natural Environment - an area containing some unique natural or cultural features considered valuable in a natural or original condition which are relatively intolerant of intensive human uses.
- 7.2.25 Flood. A temporary rise in stream or riverflow or stage that results in water overtopping its banks, inundating areas adjacent to the channel. In all cases, the Intermediate Regional Flood (100 year flood) shall be the flood reference.

- 7.2.27 Garage, private. An accessory building or portion of a main building used for the parking or temporary storage of vehicles owned or used by occupants of the main building.
- 7.2.28 Grade (ground level). The average elevation of the finished ground level at the center of all walls of the building or in the case of an undeveloped lot, the average elevation of the building site.
- 7.2.29 Guidelines. The final guidelines (Chapter 173-16 WAC) adopted by the Department of Ecology pursuant to the Shorelines Management Act of 1971. (These guidelines were used in the preparation of the Shorelines Master Program of _____ and these Use Regulations.)
- 7.2.30 Hearing Board. The Shorelines Hearings Board established by Chapter 90.58.R.C.W.
- 7.2.31 Height of Building. The vertical distance measured from the grade to the highest point of a flat roof, to the deck line of a mansard roof, or to the average height of the highest gable of a pitch or hip roof.
- 7.2.32 Hotel. A building which is designed, intended, or used for the accommodation of tourists, transients, and permanent guests for compensation.
- 7.2.33 Junk Yard. An area where any person is engaged in breaking up, handling, packing, bailing, sorting, storing, distributing, buying, or selling of any scrap, waste material, or junk including but not limited to scrap metal, bones, rags, used cloth, used rubber, used rope, used bottles, old or used machinery, used tools, used appliances, used fixtures, used lumber, used pipe or pipe fittings, used tires, or other used manufactured goods.
- 7.2.34 Legislative Body. The _____ of _____.
- 7.2.35. Livestock. Domestic animals of types customarily raised or kept on farms for profit or other purposes.
- 7.2.36 Lot. A single parcel or tract of land located which at the time of application for a permit, is designated by its owner or developer as a tract of land to be used, developed, or built upon as a unit, under a single ownership or control.
- 7.2.37 Lot Area. The total area within the boundary lines of a lot exclusive of the following: Public and private road easements of vehicular access to other property.

- 7.2.38 Lot Depth. The average horizontal distance between the front lot line and the rear lot line.
- 7.2.39 Lot Line. The property line bounding a lot.
- 7.2.40 Lot Line, Front. The property line separating the lot from the street other than an alley. In the case of a corner lot, the shortest property line along a street, other than an alley.
- 7.2.41 Lot Line, Rear. A property line which is opposite and most distant from the front lot line. In the case of an irregular, triangular, or other shaped lot, a line ten (10) feet in length within the lot parallel to and at a maximum distance from the front lot line.
- 7.2.42 Lot Line, Side. Any property line not a front or rear lot line.
- 7.2.43 Lot Width. The average horizontal distance between the side lot lines, ordinarily measured at the front building line.
- 7.2.44 Marina. A dock or basin providing moorage for watercraft and offering supply, repair, or other support facilities. A marina may be either open to the public or for the exclusive use of a group.
- 7.2.45 Master Program shall mean the comprehensive use plan for _____ and the use regulations together with maps, diagrams, charts or other descriptive material and text, a statement of desired goals, policies and standards developed in accordance with the Act.
- 7.2.46 Motel or Auto Court. A building or group of buildings on the same lot, in which lodging is offered for compensation primarily for the accommodation of transient automobile travelers.
- 7.2.47 Motorized Vehicular Race Track includes racing accommodations for motorized vehicles such as automobiles, snowmobiles, motorcycles, go-carts and other similar motorized vehicles.
- 7.2.48 Nonconforming Structure. A legally established structure existing at the time this resolution or any amendment thereto becomes effective which does not conform to the requirements of the appropriate zoning district or Environment.
- 7.2.49 Nonconforming Use. A legally established use or condition existing at the time this resolution or any amendment thereto becomes effective which does not conform to the use requirements of the zoning district or Environment in which it is located.
- 7.2.50 Obstruction. Any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel, rectification, bridge,

conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, or matter in, along, across, or projecting into any channel, or regulatory flood hazard area which may impede, retard or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water, or that is placed where the flow of water might carry the same downstream to the damage of life or property.

- 7.2.51 Official Newspaper. A newspaper of general circulation within _____.
- 7.2.52 Off-street Parking Space. An off-street enclosed or unenclosed surfaced area of not less than nine (9) feet by twenty (20) feet in size, exclusive of maneuvering and access area, permanently reserved for the temporary storage of one automobile, connected with a street by a surfaced driveway which affords ingress and egress for automobiles.
- 7.2.53 Ordinary High Water Line. The line on all lakes and streams which will be found by examining the beds and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation, as that condition exists on the effective date of this chapter, or as it may naturally change thereafter. PROVIDED, that in any area where the ordinary high water mark cannot be found, the ordinary highwater mark shall be the line of mean high water.
- 7.2.54 Ordinary Low-Water Line. The line representing mean low water.
- 7.2.55 Permanent Structure. A structure which is built of such materials and in such a way that it would commonly be expected to last and remain useful for four years or more.
- 7.2.56 Permit. That permit required by the Shorelines Act of 1971 (R.C.W. 90.58) as amended, for Substantial Development on shorelines, to be issued by the Administrative Authority subject to review by the Department of Ecology and the Attorney General's Office.
- 7.2.57 Person. An individual, firm, partnership, association, public or private corporation, estate, trust, receiver, syndicate, branch of government, social or fraternal organization, or any group or combination acting as a legal entity, and including any representative thereof.

- 7.2.58 Planning Commission. The Planning Commission of _____.
- 7.2.59 Responsible Official. The duly constituted (County of City Commission or Mayor) of _____.
- 7.2.60 SWS (Shoreline Works and Structures). The term includes bulkheads, seawalls, protective structures, piers, levees, dikes, channelization, docks, rip-rapping, and similar structures.
- 7.2.61 Setback from Water. The minimum horizontal distance from the ordinary high water line of a body of water to the nearest part of structure.
- 7.2.62 Shorelines. Shorelines means all of the water areas of _____ including reservoirs and associated Wetlands, together with the lands underlying them EXCEPT:
1. Shorelines of Statewide Significance;
 2. Shorelines on segments of streams upstream of a point where the mean annual flow is 20 cubic feet per second or less, and the Wetlands associated with such upstream segments; and
 3. Shorelines on lakes less than 20 acres in size and Wetlands associated with such small lakes.
- 7.2.63 Shorelines of Statewide Significance.
1. The lakes, whether natural, artificial, or a combination thereof, with a surface acreage of 1,000 acres or more measured at the ordinary high water line and associated Wetlands.
 2. Those streams, whether natural, artificial or a combination thereof, downstream of a point where the mean annual flow is measured at 200 cubic feet per second or more, or downstream from the first 300 square miles of drainage area; whichever is the longer, and associated Wetlands.
- 7.2.65 Sign. An identification, description, illustration, or device which is affixed to or located directly or indirectly, upon a structure or land, and which directs attention to a product, place, activity, person, institution, business or profession.
- 7.2.66 State Master Program. The cumulative total of all Master Programs approved or adopted by the Department of Ecology.
- 7.2.67 Street. A public right-of-way for roadway, sidewalk, and utility installation.
- 7.2.68 Structural Alteration. Any change to the supporting members of a structure including foundations, bearing walls or partitions, columns, beams, or girders, or any structural change in the roof or in exterior walls.

7.2.69 Structure. That which is built or constructed. An edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some manner and which requires location on the ground or which is attached to something having a location on the ground. Not included are residential fences, ornamental rockeries, and similar improvements of a minor character.

7.2.70 Substantial Development. This term means any development of which the total cost or fair market value exceeds one thousand dollars, or any development which materially interferes with the normal public use of the water or shorelines of the state, except that the following shall not be considered substantial development for the purpose of these regulations:

1. Normal maintenance or repair of existing structures or developments, including damage by accident, fire, or elements;
2. Construction of the normal protective bulkhead common to single family residences;
3. Emergency construction necessary to protect property from damage by the elements;
4. Construction of a barn or similar agricultural structure on wetlands;
5. Construction or modification of a navigational aid such as channel markers and anchor buoys;
6. Construction on Wetlands by an owner, lessee or contract purchaser of a single family residence for his own use or for the use of his family, which residence does not exceed a height of thirty-five feet above average grade level and which meets all requirements of the state agency or local government having jurisdiction thereof, other than requirements imposed pursuant to this chapter.
7. Construction of a dock, designed for pleasure craft only, for the private noncommercial use of the owner, lessee or contract purchaser of a single family residence, the cost of which does not exceed two thousand five hundred dollars.

7.2.71 Temporary Structure. A structure which is built of such materials and in such a way that it would commonly be expected to have a relatively short useful life of four years or less or is built for a purpose that would commonly be expected to be relatively short term.

- 7.2.72 Travel Trailers. A structure or vehicle designed for highway transport which is less than 35 feet in length and 8 feet wide and constructed to permit occupancy for dwelling or sleeping purposes.
- 7.2.73 Travel Trailer Court. A lot upon which two or more travel trailers, occupied for dwelling or sleeping purposes, are located.
- 7.2.74 Use. Purpose for which land or a structure is primarily designed, arranged or intended, or for which it is primarily occupied or maintained.
- 7.2.75 Water Dependency. The degree of dependency of any use of the land upon a shoreline location. This dependency is expressed as follows:
- 7.2.75.1 Water Dependent Uses. All uses that cannot exist in any other location and require a location on the shoreline by reason of the intrinsic nature of their operations, such as:
- a. Ferry and passenger terminals
 - b. Terminal and transfer facilities for marine commerce and industry
 - c. Marine construction, dismantling and repair
 - d. Marinas - boat and seaplane
 - e. Intakes and outfalls (when allowed under relevant legislation)
 - f. Boat launch facilities
 - g. Shoreline recreation - including parks, bike trails, beaches, etc.
 - h. Aquaculture
 - i. Marine and limnological research and education
 - j. Floating home moorages
 - k. Hydroelectric power plants
- 7.2.75.2 Water Related Uses. Those uses which do not depend upon a waterfront location to continue their operation but whose operation may be facilitated or enhanced by a shoreline location, such as:
- a. Any industries which receive or ship materials by water
 - b. Restaurants . . .)
 - c. Motels)
 - d. Hotels)
 - e. Resorts)
 - f. Single and Multi-)
family residences)
 - g. Processing plants which require large volumes of water
- which, by their design and aesthetic appearance, facilitate use and enjoyment of a shoreline location

- 
- h. Thermal power plants
 - i. Sewage treatment plants

7.2.75.3 Non-water Related Uses. Those uses which do not need a waterfront location to operate though they may need easements or utility corridors for access to the water such as:

- a. Single and multi-family residences
- b. Commercial establishments
- c. Utility right-of-way
- d. Rail lines and yards
- e. Warehouses, staging and storage areas
- f. Restaurants
- g. Motels
- h. Hotels
- i. Petrochemical refineries
- j. Metal fabrication plants
- k. Streets and scenic roads
- l. Office buildings
- m. Irrigated agriculture
- n. Commercial parking lots or structures
- o. Freeways

7.2.74.4 Prohibited Uses. Those uses which have no relation to the water and whose operation is intrinsically harmful to the shorelines, such as:

- a. Sanitary landfills
- b. Garbage dumps
- c. Junkyards

7.2.76 Wetlands. Those lands extending landward for 200 horizontal feet from the ordinary high water line on natural and/or artificial lakes, swamps, marshes, bogs, streams, and either to the landward edge of the 100 year floodplain or 200 feet landward of the ordinary ordinary high water mark, whichever distance is greater. The term also includes submerged lands.

7.2.77 Yard. An open space on a lot which is unobstructed from the ground upward except as otherwise provided in this ordinance, or by vegetation.

7.2.78 Other terms used in these regulations have the same meanings as those found in the Shoreline Management Act of 1971, R.C.W. 90.58 or WAC 173-16 Final Guidelines, as amended.

7.2.79 Definitions for terms requiring definitions neither above found nor in R.C.W. 90.58 or WAC 173-16, as amended, shall be determined from the following sources, and if a conflict should arise

between sources, such definitions shall be established in the following priority:

1. Black's Law Dictionary, by Henry Campbell Black, 3rd Edition, Publisher's Editorial Staff, St. Paul, West Publishing Company, 1933 and subsequent amendments thereto.
2. Webster's Encyclopedic Dictionary, by Franklin J. Mein, Editor-in-Chief, Columbia Educational Books Inc., Chicago, 1941, and subsequent amendments thereto.

SECTION 8: Note: Section 8 of the Master Program has been deleted because of amendments to the preliminary draft.

SECTION 9. SHORELINE ENVIRONMENT MAP AND BOUNDARIES

- 9.1 The locations and boundaries of the four Environments are hereby established and adopted by reference as shown on the series of maps entitled "Shoreline Environment Map of _____" as further delineated by the Environmental _____ Boundary Description. The Shoreline Environment Map and the Environmental Boundary Description shall be dated with the effective date of the Master Program and any amendments thereto, signed by _____, and maintained on file with the City Clerk or the Auditor of Chelan County.
- 9.2 The following rules for interpretation of Environment boundaries on the Shorelines Environment Map shall apply:
 - 9.2.1 Environment boundaries indicated as approximately following the centerlines of right-of-way lines of streets, highways, alleys, natural features shall be construed to follow such centerlines or right-of-way lines or natural features.
 - 9.2.2 Environment boundaries indicated as approximately following platted lot lines or section lines shall be construed as following such lines.
 - 9.2.3 Environment boundaries indicated as approximately following city limits shall be construed as following such city limits on the effective date of this ordinance.
 - 9.2.4 In the event of changes in city limits, such changes in and of themselves shall have no effect upon the Environment boundaries.

SECTION 10. GENERAL SHORELINE USE ACTIVITY REGULATIONS

- 10.1 Nothing in these regulations shall constitute authority of any person to trespass or infringe upon private property or upon the rights of private ownership.
- 10.2 Nothing in these regulations shall be construed as eliminating the necessity of compliance with other applicable state and local regulations unless explicitly exempted herein.
- 10.3 Bonding of a project may be required as a condition of the shoreline permit to assure compliance with the conditions of the permit.
- 10.4 Emergency construction designed for shoreline protection may be permitted when life and/or property is in danger.

- 10.5 Upon completion of construction, installation, or maintenance of projects on shorelines, the disturbed area shall be restored to as near pre-project configuration as possible, replanted with appropriate vegetative cover and provided maintenance care until newly planted vegetation is established.
- 10.6 The disposal of solid waste in any Environment shall be in strict conformity to regulations adopted by the Chelan-Douglas Health District.
- 10.7 The use of car bodies, construction debris, and/or discarded pieces of equipment or appliance for stabilization of shorelines is prohibited.
- 10.8 The location and design of all proposed structures shall be such that obstruction of scenic views and vistas is minimized. This shall apply to protection of views from both public and private property. The Administrative Authority may require modification of proposed projects to insure this end.

SECTION 11. SHORELINE USES PERMITTED OUTRIGHT

The following use activities shall be permitted outright without application for a substantial development permit so long as other state and local regulations are complied with.

- 11.1 Those uses listed as exceptions in 7.2.70.

USE ACTIVITY REGULATIONS

The following seventeen sections are listed under headings which roughly correspond to the use activities headings in the Guidelines and to those in the Master Program.

There are normally four sets of regulations under each use activity heading, one set for each of the four Environments used to designate the shorelines. In other words, there are regulations for a given use in the Urban, Rural, Conservancy, and Natural Environments.

RESOURCE BASED USE ACTIVITIES

(Sections 12 - 15)

SECTION 12. AGRICULTURE

a. The Act specifically exempts the "Construction of a barn or similar agricultural structures on Wetlands" from the permit system. The regulations below therefore apply, only to those agricultural activities and practices which, because they are not specifically exempted by the law are implicitly subject to control under it. In addition, the requirements of the applicable local zoning district as amended shall apply.

12.1 Urban Environment

12.1.1 Agriculture may be permitted on Urban shorelines, subject to the applicable zoning ordinance.

12.1.2 Agriculture in the Urban Environment shall comply with Section 12.2 below.

12.2 Rural Environment

12.2.1 Agriculture may be permitted on rural shorelines subject to the applicable zoning ordinance.

12.2.2 Any person proposing to undertake or engage in agricultural operations which are carried on as a normal or systematic part of the raising of crops or livestock on shorelines and which materially interfere with the normal public use of the water or shorelines of the state shall apply for a Permit. Such operations include the establishment of feeding pens or other confinement lots for livestock of any kind equivalent to 10 or more head of mature cattle which concentrate their wastes in a small area.

12.2.3 A Permit for feeding pens or other confinement lots may be granted subject to the following minimum conditions:

- a. Provide at least 100 feet of vegetated area between confinement lots and water bodies.
- b. Locate confinement lots both away from hillsides leading directly to water bodies and outside the 100 year floodplain, where defined.
- c. Select a confinement lot site with a minimum of four feet between the ground surface and the upper surface of the water table.
- d. Where applicable, the operational guidelines for livestock waste management found in "Livestock Waste Management Guidelines" (E.M. 3479), W.S.U. June 1971 may be made conditions of granting the permit.

12.3 Conservancy Environment

Agriculture may be permitted on Conservancy shorelines provided that its operations do not involve major construction or other activities which substantially change the character of the Environment.

Where permitted on the Conservancy shorelines agriculture use activities shall comply with Section 12.2 above.

12.4 Natural Environment

Non-commercial agriculture may be permitted on Natural shorelines, provided that its operations do not have a harmful ecological impact and that no extensive clearing, construction or other operation which substantially changed the character of the Environment is necessary.

Where permitted on Natural shorelines, agriculture use activities shall comply with Section 12.2 above.

SECTION 13. AQUACULTURE

The provision of the applicable zoning district shall apply in addition to those of this Section. Any person proposing to engage in aquacultural practice which materially interferes with the normal public use of the Shorelines of the State shall apply for a Permit.

Practices requiring Permits do not include normal harvesting or maintenance practices but do include:

- a. Construction of facilities,
- b. Disposal of solid or liquid wastes, such as may result from confined rearing operations for salmon or other aquatic life, in quantities which may cause violations of the State Water Quality Standards and criteria.

13.1 Urban Environment

Aquaculture may be permitted on Urban shorelines.

13.2 Rural Environment

Aquaculture may be permitted on Rural shorelines.

13.3 Conservancy Environment

Aquaculture may be permitted on Conservancy shorelines provided that its operations do not have a harmful ecological impact and do not materially interfere with the normal public use of the waters or Shorelines of the State, except that unlimited recreational navigation over the surface of the waters shall not be construed as normal public use.

13.4 Natural Environment

Aquaculture is prohibited on Natural Shorelines.

SECTION 14. FOREST MANAGEMENT

a. The Shorelines Act of 1971 specifies that in most instances only 30% of the merchantable trees may be removed in harvests within the Shorelines of Statewide Significance. Thus, a shoreline permit will be required for proposed timber harvests within 200 feet of Shorelines of Statewide Significance to assure compliance with this provision of the law. The policies and regulations listed in this Section will also apply to such proposed harvests.

b. In the case of all other Shorelines of the State, a shoreline permit for timber harvest will only be required when bridges, culverts, road construction, or similar development involving costs in excess of \$1,000 are proposed within 200 feet of the shoreline.

c. All forest management practices are required to comply with the regulations of this Section regardless of whether or not an individual project requires a permit.

d. The Washington Forest Practice Regulations prepared by the Forest Practice Board must be complied with in all timber harvesting activities within Chelan County.

14.1 Urban Environment

14.1.1 Timber harvesting may be permitted along Urban shorelines subject to State Forest Practice Regulations.

14.1.2 Only selective commercial timber cutting, as defined in R.C.W. 90.58.150 shall be allowed on an Urban shoreline. (Maximum of 30% of merchantable trees in any ten year period.)

14.2 Rural Environment

Timber harvesting may be permitted along rural shorelines subject to Sections 14.1.1 and 14.1.2.

14.3 Conservancy Environment

14.3.1 Timber harvesting may be permitted along Conservancy shorelines subject to Sections 14.1.1 above and 14.3.2 below.

14.3.2 Roads shall either be maintained so as to minimize erosion or be permanently closed, water barred, reforested, or planted and seeded with appropriate ground cover.

14.4 Natural Environment

14.4.1 Harvesting of timber shall be permitted on Natural shorelines only where it is necessary to:

- a. Preserve a desired pre-climactic state of a plant succession, such as a stand of Douglas Fir, which would eventually be superseded by other species if no cutting were done.
- b. Prevent an epidemic of insect or disease infestations in the area or to adjoining areas when no other means of epidemic control will work.
- c. Clean-up and restore an area devastated by disaster such as extensive windfall or fire.

14.4.2 In instances where timber harvesting on Natural shorelines is permitted, monetary value of the timber shall not be used to justify the timber harvesting but only to determine the degree and economic feasibility of restorative work.

14.4.3 In instances where timber harvesting is permitted on Natural shorelines, it shall be subject to State Forest Practices Regulations and Section 14.1 and 14.3 above.

SECTION 15. MINING

15.1 Urban Environment

Mining operations may be permitted in the Urban Environment subject to regulations 15.3.2 through 15.3.3 below.

15.2 Rural Environment

Mining operations may be permitted in the Rural Environment subject to regulations 15.3.2 and 15.3.3 below.

15.3 Conservancy Environment

15.3.1 Mining operations which do not substantially change the character of the Environment may be permitted in the Conservancy Environment.

15.3.2 A Permit for mining operation may be granted subject to the following regulations:

- a. The operator of a surface mine, which is subject to the 1970 Surface Mined Land Reclamation Act shall present to the Administrative Authority one copy each of the surface mining plan and of the reclamation plan as provided in R.C.W. 78.44.
- b. Any mineral removal alongside, upstream or downstream from spawning areas shall be in conformance with the technical provisions of the Hydraulics Project Approval by the Washington State Department of Fisheries.

15.4 Natural Environment

Mining operations which do not change the character of the Environment may be permitted in the Natural Environment subject to Section 15.3.2 above.

LAND USE ACTIVITIES

(Section 16 through 20)

SECTION 16. RESIDENTIAL

- a. The Act specifically exempts "construction on wetlands by an owner, lessee or contract purchaser of a single family residence for his own use or for the use of his family . ." from its Permit requirements. However, even though single family homes are not substantial development, the intent of the Act clearly establishes a basis for regulating them. (R.C.W. 90.58.020 and 90.58.100).
- b. As provided in Section 5.4, of these regulations, subdivision of land must comply with the applicable subdivision regulations. Any person proposing to subdivide land located in the shoreline area shall comply with the lot configuration requirements of these regulations.
- c. When the specified minimum lot areas listed in this Section are less than one acre the areas and widths shall be increased in relation to lot slope as given below.

Average Lot Slope

Percentage Increase in
Minimum Lot area

0 - 10%
11 - 15%
16+

0%
25%
50%

One and two family residences may be exempt from slope requirements if adequate provisions are made for parking, health regulations, and soil stabilization.

- d. Unless specified below, the minimum residential setback from the water shall be identical to the rear yard setback required by the applicable zoning ordinance (as measured from the ordinary high water line); except where the average slope of the 50' portion of the lot abutting the water exceeds 100% and bedrock is exposed at the surface, the minimum setback may be reduced to zero.

16.1 Urban Environment

16.1.1 Multi-family residences may be permitted in the Urban Environment subject to the applicable zoning ordinance and the following regulations.

16.1.2 A permit for a multi-family residence may be granted subject to the following regulations:

- a. No residential structure shall exceed 35 feet in height above average grade level.
- b. All utility lines including electricity, communications, and street lighting, shall be underground, except where the presence of bedrock or other obstructions makes undergrounding prohibitive. Above-ground lines in existence at the time of adoption of the Master Program and not coming under the above exception shall be removed during normal replacement processes. (Subject to Section 25.1.3).
- c. Parking lots with spaces for 10 or more cars shall not be located within 50 feet of the ordinary high water line.

16.1.3 Single and two family residences may be permitted in the Urban Environment subject to Section 16.1.2a through 16.1.2c and the applicable zoning ordinance.

16.2 Rural Environment

16.2.1 Regulations 16.1.2a-c shall apply in the Rural Environment.

16.2.2 Single and two family residences may be permitted in the Rural Environment subject to the following regulations and the applicable zoning ordinance:

- a. Section 16.1.2a through 16.1.2c shall apply.

16.3 Conservancy Environment

16.3.1 Multi-family and two family residences may be permitted on Conservancy shorelines as a Planned Development under the appropriate zoning ordinance.

16.3.2 Single family residences may be permitted on Conservancy shorelines, subject to the following regulations:

- a. Minimum lot area shall be as specified in the applicable zoning ordinance.
- b. Minimum lot width at the property line nearest the high water line shall be 100 feet.
- c. No residential structure shall exceed a height of 25 feet above average grade level.
- d. Regulation 16.1.2c shall apply.

16.4 Natural Environment

- 16.4.1 Multi-family and two family residences shall be prohibited in the Natural Environment.
- 16.4.2 Single family residences may be permitted in the Natural Environment subject to the following regulations:
 - a. Minimum lot area shall be one acre.
 - b. Minimum lot width at the property line nearest ordinary high water mark shall be 200 feet.
 - c. No residence may be constructed closer than 50 feet from the ordinary high water mark.
 - d. No residence may exceed a height of 15 feet above the average grade level.
 - e. Regulation 16.1.2b shall apply.
 - f. All residences shall be of inconspicuous appearance such that they either blend with their surroundings or at a minimum do not detract from them.

SECTION 17. COMMERCIAL

17.1 Urban Environment

Commercial development such as those defined as "Prohibited Uses" shall be prohibited in the Urban Environment. All other commercial development is permitted in the Urban Environment subject to the conditions of the applicable zoning ordinance and those listed in this ordinance.

- 17.1.1 A Permit may be issued subject to the provisions of these regulations and the applicable zoning ordinance.
- 17.1.2 Commercial parking lots or structures may be permitted on the shorelines of the Urban Environment as conditional use under the appropriate zoning ordinance.
- 17.1.3 Commercial structures shall be set back a minimum of 25 feet from the ordinary high water line and/or from a Natural Environment boundary except for uses such as those listed in Section 7.2.75 (a)(b)(c) and (k).
- 17.1.4 Commercial structures shall not exceed 35 feet in height above average grade level.

17.2 Rural Environment

Commercial development on the Rural Environment shall be prohibited except for those defined as "Water Dependent" and "Water Related" subject to the conditions of the applicable zoning ordinance and those listed in these Regulations.

17.2.1 Section 17.1.1, .2, .3, and .5 shall apply in the Rural Environment.

17.2.2 Commercial structures shall not exceed 25 feet in height above average grade level and be of inconspicuous appearance so that they either blend with their surroundings or at a minimum do not detract from them.

17.3 Conservancy Environment

Commercial development in the Conservancy Environment shall be prohibited except for those defined as "Water Dependent" and "Water Related" subject to the conditions of the applicable zoning ordinance and those listed in these Regulations.

17.3.1 Section 17.1.1, 2, .3, and .5 shall apply except the minimum setback for a commercial parking lot shall be 100 feet and for other permitted commercial uses not exempted in .3 shall be 50 feet.

17.3.2 Commercial structures permitted in the Conservancy Environment shall not exceed 25 feet in height above average grade level and be of inconspicuous appearance so that they either blend with their surroundings or at a minimum do not detract from them.

17.4 Natural Environment

Commercial development activity shall be prohibited in the Natural Environment.

SECTION 18. SIGNS

18.1 No sign having any of the following characteristics may be constructed within any shoreline Environment:

- a. Signs which significantly obstruct visual access to the water or to scenic vistas.
- b. Signs which exceed the building setback requirements of the applicable zoning ordinance and of Section 17. above.
- c. Signs advertising activities that are illegal under state or federal laws or regulations in effect at the location of such signs or at the location of such activities.

- e. Signs that are not reasonably clean and in good repair.
 - f. Signs that are not securely affixed to a substantial structure.
 - g. Signs which attempt or appear to attempt to direct the movement of traffic or which interfere with, imitate or resemble any official traffic sign, signal or device.
 - h. Signs which prevent the driver of a vehicle from having a clear and unobstructed view of official signs and approaching or merging traffic.
 - i. Signs which contain, include, or are illuminated by any flashing, intermittent, or moving light or lights.
 - j. Signs which use any lighting in any way unless it is so effectively shielded as to prevent beams or rays of light being directed at any portion of a public street or body of water, or is of such low intensity or brilliance as not to cause glare or to impair the vision of the driver of any boat or motor vehicle, or to otherwise interfere with any driver's operation of a boat or motor vehicle.
 - k. Signs which move or have any animated or moving parts.
 - l. Signs which are erected or maintained upon trees or painted or drawn upon rocks or other natural features.
 - m. Off-premise advertising signs in the Natural Environment.
- 18.2 Whenever any existing sign falling to conform to this section is moved, replaced, or substantially altered, such sign shall be brought into conformance with this ordinance.

SECTION 19. MARINAS

19.1 Urban Environment

19.1.1 Marinas which can be sited, designed and built in such a way as to minimize conflicts with other Urban uses of shorelines may be permitted on Urban shorelines.

19.1.2 Section 19.2.2 shall apply.

19.2 Rural Environment

19.2.1 Marinas which can be sited, designed and built in such a way as to minimize conflicts with other uses of Rural shorelines may be permitted on Rural shorelines.

19.2.2 A Permit for marina development, construction, expansion and/or alteration or, any phase thereof which constitutes a complete project, may be granted subject to the following regulations.

- a. The portions of the "Criteria Governing the Design of Marinas . . .for Protection of Fish and Shellfish Resources" adopted by the Washington State Department of Fisheries in 1971 which are applicable to fresh water, shall be utilized in preparation of conditions for granting a Permit.
- b. Parking facilities shall be set back from the ordinary high water mark a minimum of 25 feet.
- c. Sewage pump-out or dump station for marina vehicles approved by the Health District shall be installed at the beginning of operations of a new marina or of an expansion of an existing marina.

19.3 Conservancy Environment

Marinas may be permitted on Conservancy shorelines subject to Section 19.2 above.

19.4 Natural Environment

Marinas shall be prohibited on Natural shorelines.

SECTION 20. PORTS AND INDUSTRIES

20.1 Urban Environment

Port facilities, water dependent, and water-related industries may be permitted on Urban shorelines subject to the applicable zoning ordinance and the following regulations:

- 20.1.1 Any person proposing a development, expansion or alteration, or any phase thereof not exempted herein, of a port facility or water related industry, shall apply for a Permit.
 - a. The conditions of issuance of required Federal and State permits may be considered in issuance of a Permit.
 - b. Facilities and structures for ports and water-related industries of more than 35 feet above average ground grade shall be designed to minimize obstructions of views from adjoining residential or recreational developments.

20.2 Rural Environment

20.2.1 Ports or water dependent industries may be permitted on Rural shorelines, subject to Section 20.1.1 and the applicable zoning ordinance.

20.3 Conservancy Environment

20.3.1 Ports or water dependent industries may be permitted on Conservancy shorelines subject to Section 20.1.1 and the applicable zoning ordinance.

20.4 Natural Environment

20.4.1 Ports and industries shall be prohibited on Natural shorelines.

PROCEDURAL REQUIREMENTS

(Sections 29 through 40)

SECTION 29. OFF-STREET PARKING REQUIREMENTS

- 29.1 Off-Street parking shall comply with the zoning ordinance regarding the number of spaces required and design standards thereof.

SECTION 30. SHORELINE PERMITS, FEES AND PROCEDURES

- 30.1 A Substantial Development Permit is required for an activity or development which is classified as a Substantial Development by the Shoreline Management Act of 1971, R.C.W. 90.58.030(3)(e). Substantial Development has been defined for the purposes of these Use Regulations under Section 7.2.70.
- 30.2 A potential applicant shall apply for a Permit on forms provided by the Administrative Authority. The Administrative Authority shall examine the application for completeness and for compliance with the State Environmental Policies Act. Once satisfied that the application meets these requirements, the Administrative Authority shall place two public notices of the application in the official newspaper. These notices shall appear one week apart and contain the information required by the Administrative Authority. At the same time, the Administrative Authority shall mail notice of application to all the property owners of record within 300 feet of the boundaries of the property involved in the application.
- 30.3 Starting from the day of the second notice, a 30 day review period will commence during which the Administrative Authority shall evaluate the application and collect all relevant data and communications from persons and agencies wishing to express views on the application.
- 30.4 At the end of the thirty (30) day review period, the Administrative Authority is empowered to approve, disapprove, or approve conditionally the Permit application.
- 30.5 Under any of the following circumstances, the Administrative Authority shall refer a Permit application to the _____ Board of Adjustment for action at the end of the thirty (30) day review period:
- 30.5.1 The proposed development constitutes a Conditional Use under the _____ Zoning Ordinance.

- 30.5.2 The proposed development involves application for a variance from these Use Regulations or the _____ Zoning Ordinance.
- 30.5.3 The proposed development involves unusual procedures, mitigating circumstances, or the possibility of public controversy.
- 30.5.4 The applicant requests that his Permit application be heard by the Board.
- 30.6 The Board is empowered to approve, disapprove, or approve conditionally any Permit application referred to it by the Administrative Authority.
- 30.7 The procedure for hearing Conditional Uses or Variances may involve the submission of a joint application for the Substantial Development Permit, Conditional Use and/or the Variance.
- 30.8 If the shoreline development proposal being heard by the Board constitutes a conditional use as provided by the _____ Zoning Ordinance and a joint application has been submitted, action on the conditional use permit shall likewise apply to the Substantial Development Permit requirement. In such a situation, the Board shall consider both the requirements of the Zoning Ordinance and these Use Regulations in reaching its decision.
- 30.9 A decision by the Administrative Authority or Board on Conditional Use Shoreline Permits and/or Permits involving a variance is preliminary pending a decision by the Department of Ecology as provided in Section 30.15 below and R.C.W. 90.48.100(5), 90.58.140 (4) and (11).
- 30.10 The Administrative Authority must, within five (5) days of a decision transmit written notice of that decision to the applicant, the Department of Ecology and the Attorney General.
- 30.11 When the Department of Ecology and the Attorney General's office receive the notice of a substantial development permit decision, a forty-five (~~45~~³⁰) day review period will commence during which appeals to the decision can be made. The review period for conditional uses or variances shall be thirty (30) days period.
- 30.12 Should there be no appeal of the local decision within the review period, the decision shall be final. In the case of an approval, the project may proceed at this point, provided that no other permits are needed.
- 30.13 In the case of Permits involving a conditional use and/or a variance, the Department of Ecology must notify the applicant

and the Administrative Authority of its final decision prior to the end of the review period. Lack of such notification shall imply concurrence with the local decision.

- 30.14 The Administrative Authority may revoke the Permit and halt the project if conditions are not fulfilled or if regulations are violated. Any such revocation shall be in the form of a "Cease" or "Desist" order from the Prosecuting Attorney or City Attorney, obtained at the request of the Administrative Authority.
- 30.15 Substantial Development Permits, Variances or Conditional Use Permits shall run with the land.

SECTION 31. APPEALS

- 31.1 Any approval, denial or conditional approval of a Substantial Development Permit may be appealed.
- 31.2 Appeals may be registered by the initial applicant, affected property owners, interested citizens or groups appealing on the basis of a class action, the local unit of government, the State or other affected units of government.
- 31.3 An appeal by the Department of Ecology or the State Attorney General must be filed with the State Shorelines Hearings Board within forty-five (45) days of the Department and/or Attorney General's receipt of the local government's decision, as provided by the Shorelines Management Act of 1971, R.C.W. 90.58.180.
- 31.4 An appeal by an aggrieved applicant must be filed with the State Shorelines Hearings Board within thirty (30) days of the applicant's receipt of the final order. Copies of the appeal must also be filed with the Department of Ecology, the Attorney General, and the Administrative Authority.
- 31.5 All other appeals of the granting, denial, or rescinding of a Permit on a Shoreline of the State must be filed with the State Shorelines Hearing Board within thirty (30) days of the issuance of the final order. Copies must also be filed with the Department of Ecology and the State Attorney General's office.
- 31.6 Action by the State Shorelines Hearing Board, the Department of Ecology, and/or the Attorney General on all such appeals shall proceed according to the Shorelines Management Act of 1971, R.C.W. 90.58.180.

- 31.7 If the appeal fails to become certified for a hearing before the State Shorelines Hearings Board by the Department of Ecology or the Attorney General, or if an aggrieved person wishes to appeal a decision by the State Shorelines Hearings Board, the case may be brought before the Superior Court of the State of Washington in and for the County of Chelan.

SECTION 32. VARIANCE

- 32.1 A variance provides the opportunity for a property owner to make reasonable use of his property when adherence to the requirements of these regulations discriminate against the individual. A variance may be granted an individual property owner provided that all of the following conditions exist:
- 32.1.1 The hardship which serves as basis for granting of a variance is specifically related to the property of the applicant.
 - 32.1.2 The hardship results from the application of the requirements of the Act and Master Program and not from, for example, deed restrictions or the applicant's own actions.
 - 32.1.3 The variance granted will be in harmony with the general purpose and intent of the Master Program.
- 32.2. Procedures for hearing a variance shall be as described in Section 30 above.

SECTION 33. NON CONFORMING USES.

A non-conforming use is an activity, structure, or condition in existence at the time of adoption of the ordinance that would not be permitted after adoption. The intent of this Section is to minimize retroactive application of this ordinance.

- 33.1 A non-conforming use may not be altered or expanded in any manner which would bring that use into greater non-conformity with the Environment in which it is located.
- 33.2 In the case of destruction by the elements where reconstruction costs exceed 80% of the fair market value, the structure shall not be rebuilt unless it conforms to all requirements of the Environment in which it is located.
- 33.3 A non-conforming use that is discontinued for any reason for more than one year, shall not be re-established.

- 33.4 Any non-conforming structure or use may be maintained with ordinary care. Work involving more than 50% of the fair market value shall not constitute maintenance for the purpose of this Section.
- 33.5 If a lot or the aggregate of contiguous lots or land parcels held in a single ownership and recorded in the office of the Chelan County Assessor at the time of passage of this ordinance has an area or dimension which does not meet the lot size or lot width requirements of the zoning district or Environment in which the property is located, the lot or aggregate holdings may be occupied by a use permitted outright subject to the requirements of the _____ zoning ordinance, the requirements of the Chelan-Douglas Health District, and these regulations.

SECTION 34. ADMINISTRATION AND ENFORCEMENT

- 34.1 It shall be the duty of the Administrative Authority to administer the provisions of these regulations.
- 34.2 The Prosecuting Attorney or the City Attorney, at the request of the Administrative Authority, may institute any legal proceedings to enforce the provisions of these regulations.

SECTION 35. VIOLATION AND PENALTIES

- 35.1 Violators of this ordinance shall be guilty of a gross misdemeanor punishable by a fine of not less than twenty-five nor more than one thousand (\$1,000) dollars or by imprisonment in the county jail for not more than ninety (90) days, or by both such fine and imprisonment; Provided, that the fine for the third and all subsequent violations in any five year period shall not be less than five hundred (\$500) nor more than ten thousand (\$10,000) dollars. Each day of violation after proper notice shall be considered a separate and separately punishable offense.

SECTION 36. AMENDMENTS AND BOUNDARY CHANGES

- 36.1 Any of the provisions of the Master Program, including the Goals, Policies, Use Regulations and Environmental Boundary lines, may be amended.
- 36.2 Such changes and amendments may be proposed by:
- 36.2.1 Washington State Department of Ecology
 - 36.2.2 Washington State Attorney General
 - 36.2.3 The Responsible Official

- 36.2.4 The Administrative Authority
 - 36.2.5 Petition of the property owners affected, or their authorized agent.
 - 36.2.6 Concerned citizens or groups, except in the case of Environment Boundary changes.
- 36.3 An application for a change from one Environment to another must be signed by the owners of not less than fifty (50) percent of the property within the proposed Environment change area and accompanied by a fee of \$50.00.
- 36.4 Each signer of an application for a change of Environment designation shall give his address and the description of his property as shown on the assessment and tax roll showing the extent of his shorelines ownership.
- 36.5 Any such proposed amendments or boundary changes to the Master Program shall be processed in the same manner as a change in the applicable zoning ordinance or map except as provided in 36.6 below.
- 36.6 When the legislative body has acted, the proposed amendment will be sent to the Department of Ecology for its review. The Department's review period shall be 45 days. If the Department approves the change, it shall become effective 30 days from the date of official Department approval. Failure by the Department to act within 45 days shall constitute Departmental concurrence with the proposed amendment.

SECTION 37. INTERPRETATION

- 37.1 Where the provisions of these Use Regulations may be unclear in special circumstances, or where judgments must be made because of the nature of the language used, the Administrative Authority or Board of Adjustment shall make such interpretations and judgments. A separate record of all such actions taken shall be kept. To avoid arbitrariness, an earlier interpretation of judgment which may relate to a pending action shall be examined by the Administrative Authority or Board of Adjustment for its effect or influence on the pending action, and a finding shall be made indicating whether or not the earlier action was considered, why not, and if so considered, the fashion it was used shall be made public record and kept.
- 37.2 Each Environmental designation as shown on the Shoreline Environment Map for _____ shall be interpreted according to the rules established in Section 9.2.

SECTION 38. EFFECTIVE DATE

The _____ Master Program, including Goals, Policies, Shoreline Environmental Map, and Use Regulations is hereby declared necessary to meet obligations and responsibilities now upon _____ and is hereby adopted and shall take effect on the 22 day of April, 1975.

SECTION 39. FEE SCHEDULE

The following fees shall be charged an applicant to help defray the cost of processing the application:

Substantial Development Permit	\$35.00
Variance	25.00
Conditional Use Permit	50.00
Planned Development	50.00
Amendment to Master Program or Environment Designation	50.00

SECTION 40. LIBERAL CONSTRUCTION

This Master Program is exempted from the rule of strict construction, and it shall be liberally construed to give full effect to the objectives and purposes for which it was enacted.

A P P E N D I X A

ENVIRONMENT BOUNDARY DESCRIPTIONS

INTRODUCTION:

The following notations describe the Environment designations and boundary locations for shorelines covered by the Shorelines Management Act of 1971 in Chelan County. The shoreline locations, beginning with Section, Township, and Range refer to Environment boundary lines, and the terms Urban, Rural, Conservancy, and Natural, which appear between successive boundary descriptions, refer to the appropriate Environment designations for that portion of the shoreline. In the case of rivers and streams, the descriptions begin with the farthest downstream point and progress upstream. In the case of Lake Chelan and Lake Wenatchee, the descriptions begin at the outlet and progress uplake to the inlet. Simple descriptions cover the smaller lakes. In the upper reaches of several drainages, National Forest and non-federal ownerships are often intermixed. In such cases, the furthest point of non-federal ownership is listed as the Environment boundary, however the included federal portions are excluded from the provisions of the Act.

Rivers and Streams

1. Chelan River Gorge
 - a. East Shoreline
 - S.29, T.27N, R.23E - B.N.R.R. Bridge across Chelan River
Rural
 - S.30, T.27N, R.23E - Intersection of River with County Road No. 325
Conservancy
 - S.19, T.27N, R.23E - S. line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$
Rural
 - S.13, T.27N, R.22E - Lake Chelan Dam
 - b. West Shoreline
 - S.29, T.27N, R.23E - Confluence with Columbia River
Rural
 - S.29, T.27N, R.23E - Intersection of River with County Road No. 325
Conservancy
 - S.19, T.27N, R.23E - S. Line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$
Rural
 - S.13, T.27N, R.22E - Lake Chelan Dam
2. Chiwawa River
 - a. West Shoreline
 - S.36, T.27N, R.17E - Confluence with Wenatchee River
Conservancy
 - S.31, T.27N, R.18E - West Section Line
Rural
 - S.30, T.27N, R.18E - South Section Line
Conservancy
 - S.20, T.28N, R.17E - All property excluding federal ownership

- b. East Shoreline
 - S. 1, T.26N, R.17E - Confluence with Wenatchee River Conservancy
 - S.20, T.28N, R.17E - All shoreline excluding federal ownership
- 3. Chumstick Creek
 - a. East Shoreline
 - S. 6, T.24N, R.18E - Confluence with Wenatchee River Conservancy
 - S.31, T.25N, R.18E - Confluence with Eagle Creek
 - b. West Shoreline
 - S. 6, T.24N, R.18E - Confluence with Wenatchee River Urban
 - S. 1, T.24N, R.17E - Intersection of Creek with North Road Conservancy
 - S.31, T.25N, R.18E - Line opposite confluence with Eagle Creek
- 4. Columbia River
 - a. West Shoreline Only
 - S.32, T.21N, R.22E - Intersection of Columbia River with Chelan County Li Conservancy
 - S. 4, T.21N, R.22E - West Section Line Rural
 - S.30, T.22N, R.22E - West Section Line Conservancy
 - S.27, T.22N, R.21E - West Section Line Rural
 - S. 4, T.22N, R.20E - West Line NE $\frac{1}{4}$ Urban
 - S.34, T.23N, R.20E - A line due East to the Columbia River from the intersection of Miller Street and E. Hawley Street Natural
 - S.27, T.23N, R.20E - West Section Line Rural
 - S.15, T.23N, R.20E - North Section Line Conservancy
 - S. 3, T.23N, R.20E - East Section Line Rural
 - S.35, T.24N, R.20E - A direct line between the Columbia River and the extreme northern end of the viewpoint turn-around. Conservancy
 - S.25, T.24N, R.20E - West Section Line Rural
 - S.18, T.24N, R.21E - North Line S $\frac{1}{2}$ Conservancy
 - S. 7, T.24N, R.21E - North Line S $\frac{1}{2}$ Rural
 - S. 6, T.24N, R.21E - S. Line NE $\frac{1}{4}$ NE $\frac{1}{4}$ Conservancy
 - S.17, T.25N, R.21E - The confluence with the Entiat River Urban
 - S.33, T.26N, R.21E - Intersection of the P.U.D. transmission line with Columbia River Conservancy

- S.29, T.26N, R.21E - N. Line SW $\frac{1}{4}$ SE $\frac{1}{4}$
Rural
- S. 6, T.26N, R.22E - E. Line NW $\frac{1}{4}$ SW $\frac{1}{4}$
Conservancy
- S. 8, T.26N, R.22E - Bottom of unnamed drainage intersecting the
Columbia River
Rural
- S.10, T.26N, R.22E - The North Section Line
Conservancy
- S. 1, T.26N, R.22E - The East Section Line
Rural
- S.16, T.27N, R.23E - N. Line SW $\frac{1}{4}$
Conservancy
- S. 9, T.27N, R.23E - West Line NE $\frac{1}{4}$
Rural
- S.26, T.2 N, R.23E - South Section Line
Conservancy
- S.23, T.2 N, R.23E - South Section Line
Rural
- S. 6, T.28N, R.24E - The Chelan County Line
- 5. Entiat River
 - a. North Shoreline
 - S.17, T.25N, R.21E - Confluence with Columbia River
Urban
 - S.17, T.25N, R.21E - West Line of the E $\frac{1}{2}$
Rural
 - S.13, T.25N, R.20E - Intersection of River and Entiat River Road
Conservancy
 - S.11, T.25N, R.20E - Intersection of River and Entiat River Road
Rural
 - S.18, T.26N, R.20E - Mud Creek
Conservancy
 - S. 1, T.26N, R.19E - South Section Line
Rural
 - S.35, T.27N, R.19E - South Section Line
Conservancy
 - S.34, T.28N, R.19E - All property excluding federal ownership
 - b. South Shoreline
 - S.17, T.25N, R.21E - Confluence with Columbia River
Conservancy
 - S.18, T.25N, R.21E - East Section Line
Rural
 - S. 3, T.25N, R.20E - West Section Line
Conservancy
 - S.20, T.26N, R.20E - South Section Line
Rural
 - S.19, T.26N, R.20E - Northern Line of Plat of Ardenvoir
Conservancy
 - S.34, T.28N, R.19E - All property excluding federal ownership
- 6. Icicle Creek
 - a. Northwest Shoreline
 - S.13, T.24N, R17E - Confluence with Wenatchee River
Conservancy

- S. 5, T.24N, R.16E - All property excluding federal ownership
 - b. Southeast Shoreline
 - S.13, T.24N, R.17E - Confluence with Wenatchee River Conservancy
 - S. 5, T.24N, R.16E - All property excluding federal ownership
- 7. Little Wenatchee River
 - a. North Shoreline
 - S.23, T.27N, R.16E - Confluence with Lake Wenatchee Natural
 - S.17, T.27N, R.16E - All property excluding federal ownership
 - b. South Shoreline
 - S.23, T.27N, R.16E - Confluence with Lake Wenatchee Natural
 - S.17, T.27N, R.16E - All property excluding federal ownership
- 8. Mad River
 - a. Both Shorelines
 - S.20, T.26N, R.20E - Confluence with Entiat River Rural
 - S.19, T.26N, R.20E - Wenatchee National Forest Boundary
 - S.13, T.26N, R.19E - South Section Line Conservancy
 - S.13, T.26N, R.19E - West Section Line
 - S.16, T.27N, R.18E - East Section Line Natural
 - S.16, T.27N, R.18E - All property excluding federal ownership
- 9. Mission Creek
 - a. East Shoreline
 - S. 4, T.23N, R.19E - Confluence with Wenatchee River Urban
 - S. 9, T.23N, R.19E - North Section Line Rural
 - S.29, T.23N, R.19E - North Section Line Conservancy
 - S.31, T.23N, R.19E - All property excluding federal ownership
 - b. West Shoreline
 - S. 5, T.23N, R.19E - Confluence with Wenatchee River Urban
 - S.8&9, T.23N, R.19E - North Section Line of Sections 8 & 9 Rural
 - S.29, T.23N, R.19E - North Section Line Conservancy
 - S.31, T.23N, R.19E - All property excluding federal ownership
- 10. Napeequa River
 - b. Both Shorelines
 - S.18, T.28N, R.16E - Confluence with White River Natural
 - S.17, T.28N, R.16E - All properties excluding federal ownership

- 11. Nason Creek
 - a. East Shoreline
 - S.28, T.27N, R.17E - Confluence with Wenatchee River
Conservancy
 - S.11, T.26N, R.16E - All properties excluding federal ownership
 - b. West Shoreline
 - S.28, T.26N, R.17E - 200 foot setback from confluence with Wenatchee
River
Conservancy
 - S. 2, T.26N, R.16E - All properties excluding federal ownership
- 12. Peshastin Creek
 - a. East Shoreline
 - S.22, T.24N, R.18E - Confluence with Wenatchee River
Rural
 - S.21, T.24N, R.18E - Intersection of Creek with U.S. Highway 2
Conservancy
 - S.18, T.23N, R.18E - West Section Line
 - b. West Shoreline
 - S.22, T.24N, R.18E - Confluence with Wenatchee River
Rural
 - S.29, T.24N, R.18E - South Line of the NE $\frac{1}{4}$ of Section 29
Conservancy
 - S.18, T.23N, R.18E - West Section Line
- 13. Stehekin River
 - a. Both Shorelines
 - S.36, T.33N, R.17E - Confluence with Lake Chelan
Conservancy
 - S.22, T.33N, R.17E - All properties excluding federal ownerships
- 14. Wenatchee River
 - a. North-East Shoreline
 - S.27, T.23N, R.20E - Confluence with Columbia River
Rural
 - S.27, T.23N, R.20E - Wenatchee River Bridge U.S. #2 and #97
Conservancy
 - S.20, T.23N, R.20E - West Section Line
Rural
 - S.19, T.23N, R.20E - West Line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$,
Conservancy
 - S.13, T.23N, R.19E - West Line E $\frac{1}{2}$
Rural
 - S.14, T.23N, R.19E - Bridge crossing of Old Hwy. #2
Conservancy
 - S.11, T.23N, R.19E - Old Monitor Road crossing of Wenatchee River
Rural
 - S.33, T.24N, R.19E - The Bridge crossing of the Wenatchee River
Conservancy
 - S.32, T.24N, R.19E - The Wenatchee River Bridge crossing
Rural
 - S.35, T.24N, R.18E - Intersection of Ollala Canyon Drainage with
Wenatchee River
Conservancy
 - S.26, T.24N, R.18E - Confluence of Williams Canyon Drainage with
Wenatchee River
Rural

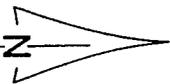
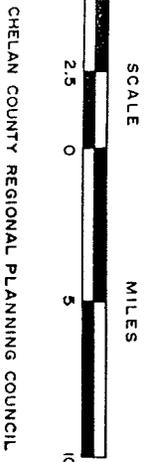
- S.27, T.24N, R.18E - Intersection of Main Street with Wenatchee River
Urban
- S.27, T.24N, R.18E - South Line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 27
Conservancy
- S.22, T.24N, R.18E - West Section Line
Rural
- S.16, T.24N, R.18E - The East boundary of Peshastin Orchard Plat
Urban
- S.17, T.24N, R.18E - South Line N $\frac{1}{2}$ of the NE $\frac{1}{4}$
Rural
- S. 8, T.24N, R.18E - West Section Line
Conservancy
- S. 6, T.24N, R.18E - Confluence with Chumstick Creek
Urban
- S.12, T.24N, R.17E - The horizontal half-section line
Conservancy
- S.14, T.24N, R.17E - The intersection of the Icicle River Road
with the Wenatchee River
Urban
- S.11, T.24N, R.17E - North Line S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11
Conservancy (All properties excluding federal
ownership)
- S. 9, T.25N, R.17E - Intersection of U.S. Highway 2 with Wenatchee
River
Natural (All properties excluding federal ownership)
- S.35, T.26N, R.17E - The vertical half-section line
Conservancy
- S.25, T.26N, R.17E - The North Section Line
Rural
- S.24, T.26N, R.17E - The North Section Line
Conservancy
- S.13. T.26N, R.17E - The North Section Line
Rural
- S.12, T.26N, R.17E - Intersection of State Route 209 with Wenatchee River
Conservancy
- S.36, T.27N, R.17E - The East Section Line
Rural
- S.36, T.27N, R.17E - The East Section Line in North part of Section
Conservancy
- S.28, T.27N, R.17E - Intersection of State Route 207 with Wenatchee River
Rural
- S.28, T.27N, R.17E - Outlet of Lake Wenatchee
- b. South-West Shoreline
- S.28, T.23N, R.20E - East Section Line
Conservancy
- S.28, T.23N, R.20E - Highline Canal Crossing
Rural
- S.29, T.23N, R.20E - West Line of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 29
Conservancy

- S.13, T.23N, R.19E - West Line of the SE $\frac{1}{4}$ of Section 13
Rural
- S.14, T.23N, R.19E - Extension of Strutzel Road
Conservancy
- S.11, T.23N, R.19E - The North Line of the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section
Rural
- S.10, T.23N, R.19E - West Line NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 10
Conservancy
- S.32, T.24N, R.19E - West Section Line
Conservancy
- S.35, T.24N, R.18E - Intersection of U.S. Highway 2 with river
Rural
- S.27, T.24N, R.18E - Intersection of Main Street with river
Urban
- S.27, T.24N, R.18E - Intersection of U.S. Highway 2 with river
Conservancy
- S.22, T.24N, R.18E - South Section Line
Rural
- S.21, T.24N, R.18E - West Section Line
Conservancy
- S.17, T.24N, R.18E - North Section Line
Rural
- S. 7, T.24N, R.18E - Aquaduct crossing
Urban
- S.12, T.24N, R.17E - Southern boundary intersection of East Leavenworth
Plat with river
Rural
- S.12, T.24N, R.17E - North Line of SW $\frac{1}{4}$
Conservancy
- S.11, T.24N, R.17E - Vertical half-section line
Natural (All properties excluding federal ownershi
- S. 9, T.25N, R.17E - Intersection of U.S. Highway 2 with river
Conservancy
- S.35, T.26N, R.17E - West boundary of Wenatchee River Ranches Plat
Rural
- S.36, T.26N, R.17E - North Section Line
Conservancy
- S.24, T.26N, R.17E - The vertical half-section line
Rural
- S.13, T.26N, R.17E - The unimproved road approximately one-quarter
mile North of South Section Line
Conservancy
- S.28, T.27N, R.17E - Confluence of Nason Creek and Wenatchee River
Rural
- S.28, T.27N, R.17E - Mouth of Lake Wenatchee
- 15. White River
 - a. Both Shorelines
 - S.14, T.27N, R.16E - Mouth
Natural
 - S.18, T.28N, R.16E - All properties excluding federal ownership

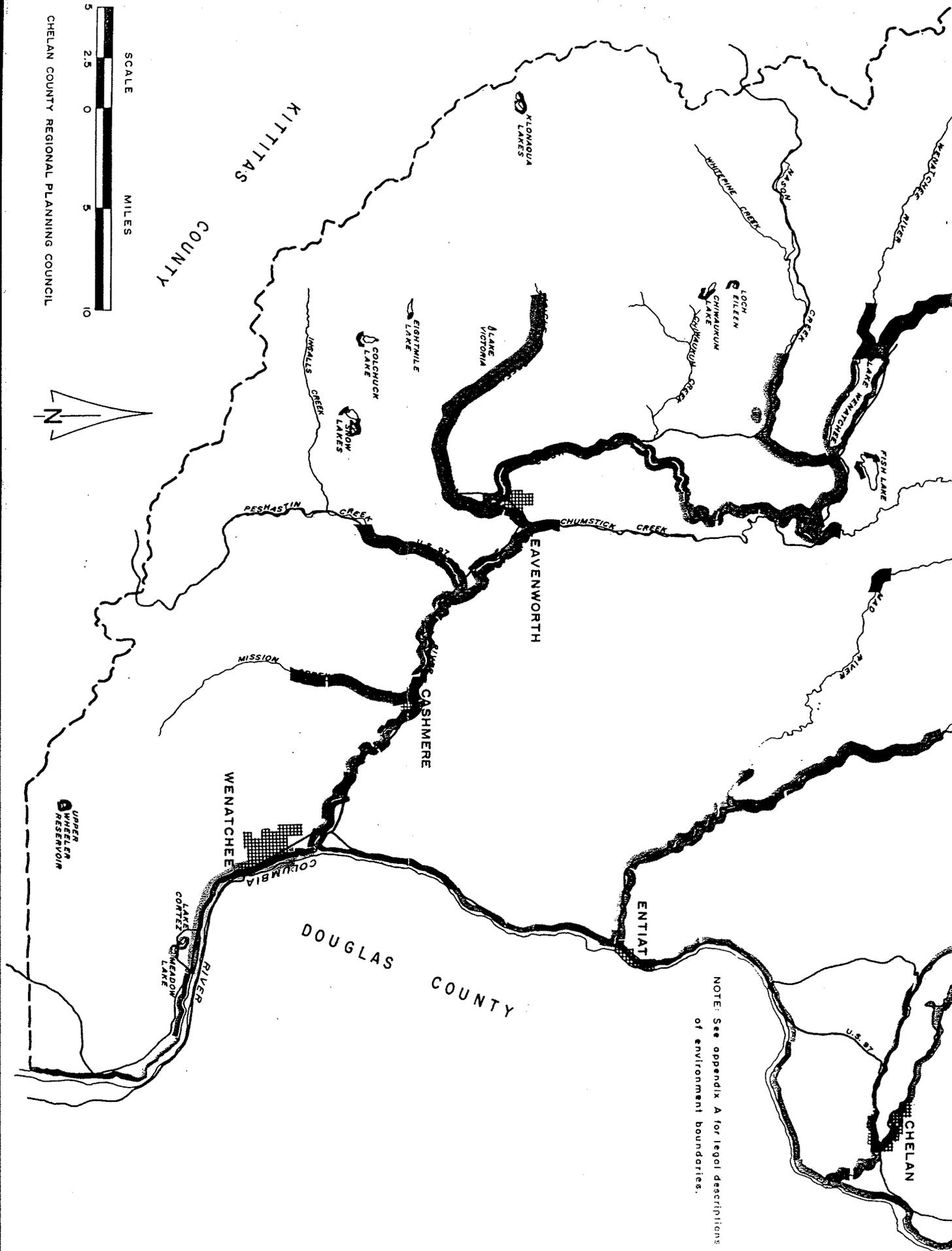
Lakes

1. Antilon Lake
 - a. All Shorelines
Sections 25, 36 and 35, T.29N, R.21E - All property excluding Section 26
Conservancy
2. Chiwaukum Lake
 - a. All Shorelines
S.29, T.26N, R.16E - All property excluding federal ownership
Natural
3. Colchuck Lake
 - a. All Shorelines
S.15, T.23N, R.16E - All property excluding federal ownership
Natural
4. Cortez Lake
 - a. All Shorelines
S.29, T.22N, R.21E - All property
Rural
5. Dry Lake
 - a. All Shorelines
Sections 22 and 23, T.28N, R.28E - All property
Rural
6. Eight Mile Lake
 - a. All Shorelines
S.33, T.24N, R.16E - All property excluding federal ownership
Natural
7. Fish Lake
 - S.16, T.27N, R.16E - East Section Line
Conservancy
 - S.16, T.27N, R.16E - South Line of Carsten's Summer Homes
Natural
 - S.16, T.27N, R.16E - South Section Line
 - S.22, T.27N, R.17E - All Shorelines in Section 22
Conservancy
8. Kionaqua Lakes
 - S. 3, T.24N, R.14E - All property excluding federal ownership
Natural
9. Lake Chelan
 - a. North Shoreline
 - S.13, T.27N, R.22E - From Lake Chelan Dam
Urban
 - S.11, T.27N, R.22E - West Line SE $\frac{1}{4}$
Rural
 - S.35, T.28N, R.21E - Southern boundary of Lowline No. 2 in Section 35
at or about South quarter-section line
Urban
 - S.34, T.28N, R.21E - Northern-most line of Lowline No. 2 below North
Section Line
Rural
 - S.34, T.29N, R.21E - All property excluding ownership
 - S. 6, T.32N, R.18E - South Section Line

- b. South Shoreline
 - S.13, T.27N, R.22E - From Lake Chelan Dam
Urban
 - S.15, T.27N, R.22E - Drainage of intermittent stream just East of
corporate limits at date of adoption
Rural
 - S.16, T.27N, R.22E - East Section Line
Urban
 - S. 8, T.27N, R.22E - East boundary of Minneapolis Beach Subdivision
Rural
 - S.11, T.27N, R.21E - East Section Line
Conservancy
 - S.10, T.27N, R.21E - North Section Line
Rural
 - S.19, T.29N, R.21E - West Section Line Section 19 (All property
excluding federal ownership)
Conservancy
 - S.36, T.33N, R.17E - Mouth of Stehekin River
- 10. Lake Wenatchee
 - a. North Shoreline
 - S.28, T.27N, R.17E - Confluence with Wenatchee River
Rural
 - S.14, T.27N, R.16E - Western Boundary of Lake View Summer Homes
Natural
 - S.14, T.27N, R.16E - Confluence with White River
 - b. South Shoreline
 - S.28, T.27N, R.17E - Confluence with Wenatchee River
Rural
 - S.29, T.27N, R.17E - East Section Line
Conservancy
 - S.22, T.27N, R.16E - East Section Line
Natural
 - S.14, T.27N, R.16E - Confluence with White River
- 11. Loch Eileen
 - a. All Shorelines
 - S.19, T.26N, R.16E - All property excluding federal ownership
Natural
- 12. Meadow Lake
 - a. All Shorelines
 - Sections 32 and 33, T.22N, R.21E - All property
Rural
- 13. Roses Lake
 - a. All Shorelines
 - Sections 23, 25 and 26, T.28N, R.21E - All property
Rural
- 14. Snow Lakes
 - a. All Shorelines
 - Sections 17 and 19, T.23N, R.17E - All property excluding federal owner
Natural



CHELAN COUNTY REGIONAL PLANNING COUNCIL



NOTE: See appendix A for legal descriptions of environment boundaries.