



## CITY OF PORT ORCHARD

### Planning Department

216 Prospect Street

Port Orchard, WA 98366

Ph.: (360) 876-4991 • FAX: (360) 876-4980

planning@cityofportorchard.us

## *Shoreline Frequently Asked Questions*

### **What is the Shoreline Master Program?**

The Shoreline Master Program (SMP) applies across the City and establishes development standards, such as setbacks and height limits, for shoreline development. State law requires each jurisdiction with shorelines of State wide significance to make and update these rules. Port Orchard's SMP was created in 1976, with minor revisions done in 1994.

The general goals of the Shoreline Management Act are:

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

### **Where does the Shoreline Master Program apply?**

Port Orchard's Shoreline Master Program (SMP) applies to all Puget Sound shorelines, as well as creeks with a certain volume of flow (20 cubic feet/second). In the City's case, Blackjack Creek, up to State Route 16, must also be regulated. All uplands within 200 feet of Sinclair Inlet and Blackjack Creek are also subject to SMP regulations.

### **Why are we updating the SMP?**

In 2003 the Department of Ecology adopted new guidelines for shoreline development. They also adopted a schedule for jurisdictions, and the Legislature has provided funding to assist the City in completing the update. Our current SMP is also out-of-date and, in some areas, conflicts with zoning and downtown regulations. The City plans to make our regulations as fair and seamless as possible.

**No Net Loss.** The Guidelines require that the impacts of new uses, activities and improvements be identified and mitigated with a final result "no net loss" of the shoreline ecological function.

The benchmark for the 'no net loss' starts with today as a baseline - NOT a pristine undeveloped environment. Since most types of shoreline development result in at least some degree of impact to ecological functions, the 'no net loss' standard means that the SMP must contain provisions for mitigating these unavoidable impacts. In evaluating 'no net loss', the City must consider the aggregate effect of future development that includes both the individual impact of each development and the cumulative impact of all of the development that is likely to occur.

### **What does No Net Loss mean?**

The 2003 Shoreline Management Act guidelines establish the 'no net loss' principle. The standard of no net loss of ecological functions is to be achieved over the City's SMP planning horizon of 20 years by implementing the updated SMP policies and regulations. The no-net-loss standard is designed to stop new impacts to shoreline ecological functions resulting from new development. This means that the existing condition of shoreline ecological functions needs to remain the same, and should even be improved as a result of restoration, as the updated SMP is implemented over time. This standard is to be met by appropriately regulating public and private development, implementing a Restoration Plan, and improving practices that affect the shoreline.

Resulting impacts of development should be identified and mitigated so as to maintain shoreline ecological function as it exists today - not from some time in history.

### **How is no net loss measured?**

No net loss is measured from a city wide, cumulative perspective, but met by project-level mitigation from both public and private development and redevelopment. Cumulative impacts consider current circumstances affecting the shoreline and relevant natural processes; reasonable foreseeable future development and use of the shoreline; and beneficial effects of any established regulatory programs under other local, state and federal laws.

### **More questions?**

Send an email to [planning@cityofportorchard.us](mailto:planning@cityofportorchard.us), call Jennifer Haro at (360) 876-4991, or check the Information and Documents link from the main SMP page.

[Return to Shoreline Update page](#)