New language for Roads, Railways and Utilities:

22.08.10 B. 3. The following activities as specified below may be permitted as part of an authorized use and subject to submittal of a critical area report within a shoreline, critical area and/or its required buffer when they comply with the applicable policies and regulations of this Chapter as well as Chapters 22.04 and 22.09:

c. Roads, trails, bridges and right-of-ways. Construction of roads trails and minor road bridging, less than or equal to thirty (30) feet wide, may be permitted in accordance with an approved critical area report and shall comply with the applicable requirements in this Title.

22.09.150 ROADS, RAILWAYS AND UTILITIES

Roads, railways and utilities necessary to provide efficient public circulation and the shipment of goods and services. These transportation circuits can include but are not limited to roads, highways and interstates, rail-lines and spurs, public sewer and water mains, power generation, transmission and distribution facilities and wireless communication facilities.

A. Policies

1. All new roadways, including arterials, utilities and railways, including expansions of these systems should be designed and located to minimize impacts to shoreline ecological function including riparian and nearshore areas, channel migration zones and the natural landscape. (reg #'s 1 2 3 and 7)
2. Location and design of new roadways including arterials should not compromise existing and planned shoreline public access and existing and planned habitat restoration and enhancement. (reg #4)
3. New roadways including arterials, when necessary to be located within shorelines should be designed in such a manner that the minimum width of travel-way for vehicles is provided and that an appropriate amount of travel-way is devoted to the pedestrian and/or multi-modal forms of transportation. In this case, 'appropriate' is determined on a case-by-case basis with consideration given to achieving a no net loss of shoreline ecological function, proximity and connection to existing and planned multi-modal travel routes and existing or planned shoreline public access. (reg 5)
4. New roadways especially arterials, should not be located parallel to shorelines. When new roadways, including arterials are necessary to be located parallel to the shoreline due to topographic or parcel dimension constraints or due to existing structures such as buildings and railways or planned public facilities, said roadway should be designed to be the minimum length necessary to serve a circulation function for vehicular modes of travel. (reg 6)

5. When it is required for new roadways including arterials to be located within a critical area and/or its required buffer, the absolute minimum necessary amount of improved right-of-way should be developed.(reg 7)
6. New Roadways including access roads and driveways associated with a permitted use should be the minimum necessary to serve the required access function.(reg 9)
7. New roadways including arterials should be designed and constructed to implement a range of available Low Impact Development techniques. (reg 2)
8. Utilities for the delivery of services and products such as but not limited to public sewer, water and storm mains and services, pipelines, power and transmission facilities should be located outside of shorelines, critical areas and their associated buffers unless intended specifically for a permitted use. (regs 10, 11, 14)
9. Whenever feasible, utilities should be co-located within existing right-of-way corridors.(reg 13)
10. Utilities within shorelines should be under-grounded. (reg 10)
11. Installation of utilities including maintenance and expansion of existing utilities should improve the project area from its original condition via native vegetation management or providing public access to the shoreline when practical. (reg 15)
12. All structures associated with railroads or railways should be constructed such that they do not compromise the public's ability to access the shoreline safely. (reg 16)
13. Circulation systems that have an interface with an established or proposed railway corridor should be coordinated such that the general public's safety is the highest priority. (reg 13)

B. Regulations

1. New roadways, utilities and railways shall mitigate their impacts such that the result is a no net loss of shoreline ecological function.
2. New roadways, utilities and railways shall comply with the applicable requirements in Chapters 22.04 and 22.08 and the submittal requirements within the Critical Area Ordinance, APPENDIX E.
3. When existing roadways, utilities or railways must be expanded and are presently located within shorelines or a required buffer there shall be no net loss of shoreline ecological function including impacts to channel and nearshore migration.
4. Design and location of new roadways shall not compromise existing or planned public access improvements and existing or planned habitat restoration and enhancement.
5. New roadways, especially arterials, when located within shorelines and/or required buffers, shall have the minimum amount of travel way devoted to vehicular and truck traffic in order to serve a circulation function AND an appropriate amount of improvements devoted to pedestrians and/or multi-modal forms of transportation.
6. New roadways, especially arterials that are necessary to be located parallel to the shoreline due to topographic or parcel dimension constraints or due to existing structures such as buildings and railways or

planned public facilities, said roadways shall be designed to have the minimum length necessary to serve a circulation function.

7. New roadways or utilities that must cross a shoreline shall first demonstrate that there is no feasible alternative. If there is no feasible alternative, said roads and/or utilities shall be designed to cross at or as near to a perpendicular angle and shall not be greater than 30’ in width in order to minimize the potential impacts to shoreline ecological function including but not limited to; downstream movement of LWD and gravel / cobble / sediment, shoreline and stream meander. Said crossings shall be designed according to the technical manuals for such features published by the Washington State Department of Fish and Wildlife and the National Marine Fisheries Service.
8. Public parking on new roadways is not permitted within any required buffer.
9. Access roads and/or drive lanes for water-dependent or water-related uses are allowed within required buffers and shall be designed to be the minimum width necessary and as perpendicular to the shoreline in order to serve an access function.
10. New utilities shall avoid critical areas to the maximum extent feasible.
11. Where new public or private utilities must cross a shoreline, the applicant shall demonstrate that boring underneath the shoreline including the hyporheic zone and outside of the CMZ cannot be achieved.
12. New utilities when necessary to be located within shorelines shall be located underground. (This requirement does not include a water-dependent generation or transmission facility such as a desalination plant, bio-diesel facility, water-intake or pump / lift stations)
13. New utility systems should be co-located with other existing or planned utilities, roadways and/or railways and/or placed within already disturbed or impacted corridors whenever possible.
14. New utilities, when necessary to be located parallel to shorelines in a declining or downhill riparian area shall not be located within any required buffer unless a critical area report and analysis can demonstrate that there is no net loss to shoreline ecological function and the net environmental result is positive.
15. Where new utilities are necessary within shorelines the installation area shall be improved from its pre-existing condition. This requirement shall not apply when there is an overriding need for the general public to have the ability to access the shoreline in the same location as specified by the Parks and Recreation Department.
16. New railways shall be designed and located such that they do not compromise the general public’s ability to access the shoreline safely.
17. New railways that have an interface with existing or planned circulation systems shall be designed such that the general public’s safety is the highest priority.
18. Cell towers are a non-water-oriented use and shall not be located within shorelines.