

Additional Staff Recommendations for Ordinance Relating to Docks, Bulkheads and Shoreline Access Item #75 Dec. 9, 2010

Summary of staff recommended changes in response to stakeholder input following the November 18, 2010 postponement of public hearing.

Previous Action:

In response to Council direction provided in the October 28, 2010 public hearing, Staff recommended modifications to the draft for three provisions. The modifications for these provisions are described in the Staff Report Update provided as backup material and are reflected in the 11/10/2010 draft. Due to a word processing error, the draft ordinance is being replaced; the new ordinance has the heading: 11/10/10 draft with Council Changes.

Recent Action:

Following the November 18, 2010 postponement and in response to stakeholder input from affected property owners, Staff is recommending additional modifications to the draft. A copy of the draft with highlighted additional recommendations for Council consideration, with the heading: 12/8/10 Draft with Staff Changes, has been provided as late backup material. The additional recommendations include:

1). Staff recommends amending Section 25-2-963 (*Modification and Maintenance of Noncomplying Structures*) to including language for the “modification” of docks in addition to the previously proposed language of “repair, reinforce and maintain”.

Action: Amend Part 2, Section 25-2-963, new Subsection (D) of the ordinance in back up, to allow a dock that is an accessory to a single family residence to be modified (as distinguished from maintained or repaired) without compliance with current code if the modification will decrease its footprint and boat slips by 50%.

2). Staff recommends amending Section 25-5-2 (*Site Plan Exemptions*) to provide a site plan exemption for modifications to docks compliant with Section 25-2-963 as described above.

Action: Amend Part 12, section 25-5-2, new Subsection (L) of the ordinance in back up, to provide site plan exemption for modification of a dock that is an accessory to a single family residence and that decrease its footprint and boat slips by 50%

3). Staff recommends amending Section 25-2-1174 (C) (*Structural Requirements*) to exempt all man-made channels (regardless of channel width) from the prohibition of vertical slopes greater than 45 degrees.

Action: Amend Part 7, Section 25-2-1174 Subsection (C) of the ordinance in back up, to clarify that the bulkhead requirements do not apply to an existing man-made channel.

4). Staff recommends amending Section 25-2-1066 (*Screening Requirements*) to allow greater flexibility in the method selected screen shoreline access. Rules to support this section prescribed in the Environmental Criteria Manual will include methods such as paint color to supplement screening to maintain the natural character.

Action: Amend Part 11, Section 25-2-1066, new Subsection (B) of the ordinance in back up, to clarify that the requirement that trams be screened using vegetation and tree canopy may be supplemented with other methods established in the rules.