

## **ARTICLE 34**

### **(SO) Shorelands Overlay**

#### **SECTION 3.34.000 Purpose**

The Shorelands Overlay district shall apply in designated "Urban-Other", "Rural-Conservation" and "Rural-Other" shoreland areas in the Comprehensive Plan. Where the requirements of the SO overlay conflict with the requirements of the underlying zone(s), the more restrictive requirements shall apply.

#### **SECTION 3.34.050 Permitted Uses**

The following uses and activities and their accessory structures and uses are permitted in the SO overlay subject to the exceptions and provisions set forth in this Ordinance.

1. Aids to navigation.
2. Aquaculture.
3. Low intensity water-dependent recreation.
4. Maintenance and rehabilitation of existing private facilities and structures.
5. Formation, construction, maintenance or rehabilitation of County, state or federal parks, historical monuments and other forms of public access.
6. Research and educational observation.

#### **SECTION 3.34.100 Uses Permitted with Standards**

In shoreland areas subject to the SO overlay, uses and activities and their accessory structures and uses which are permitted in the underlying zone(s) but not listed as permitted above may be permitted subject to the provisions of §2.060.1 and standards and criteria set forth in §3.34.200 and Article 36 SUPPLEMENTARY PROVISIONS of this Chapter. In addition, the following uses and activities may be permitted subject to conformance with the above referenced procedures, and applicable standards and criteria of §3.34.200 (depicted in parenthesis behind each affected use).

1. Utility, communication and transportation facilities. (1)
2. Individual private docks. (2)
3. Disposal of dredged material.
4. Sanitary outfalls. (1)

5. Estuary restoration when identified in the Comprehensive Plan as a restoration site.

### **SECTION 3.34.150 Uses Permitted Conditionally**

Uses and activities and their accessory structures and uses which are permitted conditionally in the underlying zone(s) and the following uses and activities may be permitted in the SO overlay subject to the provisions of §2.060.1 and applicable standards and criteria (depicted in parenthesis behind each affected use) specified in §3.34.200 and Article 36 SUPPLEMENTARY PROVISIONS of this Chapter.

1. Flood and erosion control structures.
2. Single-family dwelling in conjunction with or attached to a permitted use. (1, 3)

### **SECTION 3.34.200 Standards and Criteria**

In the SO overlay, approval of uses permitted with standards or permitted conditionally shall be based on findings which show that the proposed use complies with the following applicable standards and criteria.

1. Uses and activities may be permitted in shoreland areas subject to the SO overlay upon a demonstration of adequate safeguards from natural hazards and compatibility with the resources of the shoreland area.
2. Individual private docks may be allowed in shorelands subject to the SO overlay when the size of the dock is the minimum required and the dock will not interfere with navigation.
3. Single-family residences may be permitted on existing lots, parcels or units of land in the SO overlay if found to be compatible with the allowed uses.

### **SECTION 3.34.250 Development Standards**

1. **Area:** As permitted by the underlying zone or other provisions of this Ordinance.
2. **Land Division:** Requests for land division, including subdivision, shall be reviewed through the approval process provided in Chapter 2 of this Ordinance and shall conform to the applicable requirements of Chapter 4.
  - a. Division of land in resource zones for resource use, committed areas or exception areas shall be allowed if provisions of the Ordinance are met.
  - b. In addition to conformance with other requirements of this Ordinance, other land divisions subject to the Shorelands Overlay designation shall be allowed only when a finding is made that the use of such land cannot be accommodated on other upland locations or in an urban/urbanizable area.