

CHAPTER 3 DEFINITIONS

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3.01 Tense and Number

When consistent with the context, words used in the present tense shall include the future; the singular shall include the plural, and the plural the singular.

3.02 Interpretation

1. The word "shall" means mandatory.
2. The word "should" means that which is recommended but not absolutely required.
3. The word "may" is permissive.

3.03 Definitions

For the purposes of this program, certain words and terms shall be interpreted as follows:

A

1. **Accessory development or uses** means any structure or use incidental, subordinate, and usually adjacent to a primary shoreline development or use.
2. **Accretion shoreform or beach** means a shoreline with a continuous, relatively wide backshore which has been built up by long term deposition of sand and gravel carried by littoral drift or stream currents along a driftway with the material coming from a feeder or erosion bluff, upstream river banks, or other sources. Such shoreforms are scarce locally in a natural condition and include barrier beaches, points, spits, pocket beaches, and point or channel bars in streamways.
3. **Act** means the Shoreline Management Act of 1971 (RCW 90.58), as amended.
4. **Administrator** means the Skagit County Planning Director or his designated representative.
5. **Agriculture** is the farming or raising of livestock, crops, fruit, nursery stock on land, and may require development such as buildings, feed lots, fences, ditches, bridges, ponds, wells, grading, as well as use of native pasture and woodlots.

6. **Agricultural Land** means all land mapped by Soil Conservation Service as Class 1, 11, 111, or IV which is capable of being used for production of food and fiber, and which has not been developed for urban density housing, industry, business or other uses generally incompatible with agriculture.
7. **Agricultural practices** are all methods of livestock, crop, vegetation and soil management. These include but are not necessarily limited to the related activities of tilling, fertilizer application, soil preparation and maintenance, the raising of livestock, and the control of weeds, plant diseases, and insect pests.
8. **Aquaculture** is the farming or culture of food fish, shellfish, or other aquatic plants and animals in fresh or salt water areas, and may require development such as fish hatcheries, rearing pens and structures, and shellfish rafts, as well as use of natural spawning and rearing areas.
9. **Aquaculture practices** means any activity directly pertaining to growing, handling, or harvesting of aquaculture produce including but not limited to propagation, stocking, feeding, disease treatment, waste disposal, water use, development of habitat and structures. Excluded from this definition are related commercial or industrial uses such as wholesale and retail sales, or final processing and freezing.
10. **Aquatic Shoreline Area** is the surface of all rivers, all marine water bodies, and all lakes, together with their underlying lands and their water column seaward or waterward of the ordinary high water mark (OHWM); including but not limited to bays, straits, harbor areas, waterways, coves, estuaries, streamways, tidelands, bedlands, and shorelands.
11. **Archaeologic, historic, and cultural resources** include all ancient or early inhabitations, villages, areas, and digs for human, animal, or vegetation remains or evidence thereof, as well as early forts, homes, towns, trails, bridges, or other sites and structures that are of historic and cultural value to this country, region, state or nation.
12. **Average grade level** shall mean the average of the natural or existing topography at the center of all exterior walls of a building or structure to be placed on a site; PROVIDED, that in the case of structures to be built over water, average grade level shall be the elevation of ordinary high water.

B

1. **Backshore** is the area on marine shores located above the OHWM or high tide level, except during storms and unusually high tides; it is normally composed of deposited sand and/or gravel materials and includes all marshes or meadows which may form behind such a berm of material.
2. **Barrier Beach** means a linear berm shoreform of sand and gravel accreted seaward of bluffs, bays, marshes or estuaries by littoral drift; the berm acts as a natural dike and seawall to its backshore or marsh hinterland.
3. **Beach Feeding** is an artificial process in which selected beach material is deposited at one or several locations in the updrift portion of the drift sector. The material is then naturally transported by waves or currents downdrift to stabilize or restore accretion beaches and berms, which may be eroding due to artificial obstructions in the shore process corridor.
4. **Bedlands** means those submerged lands below the line of extreme low tide in marine waters and below the line of navigability of navigable lakes and rivers.
5. **Berm** means one or several lineal deposits of sand and gravel generally paralleling the shore at or landward of OHWM; berms are naturally stable because of material size or vegetation.
6. **Berth** means a temporary or permanent wet moorage space for watercraft. One berth shall consist of not more than 30 linear feet of dock moorage space at a water depth of at least -4.0 Feet (MLLW).
7. **Board** means the Board of County Commissioners of Skagit County.
8. **Boathouse** means any walled or covered structure built onshore or offshore for the wet or dry moorage of watercraft or float planes. They are usually common to a single-family residence and will, as such, be treated as an accessory use or garage.
9. **Bog** means a soft, wet, spongy area consisting primarily of decaying and decayed moss and other vegetable matter; bogs represent the final stage of the natural process (eutrophication) by which lakes are very slowly transformed into land; bogs are sometimes mined for peat on a commercial basis; bogs are often an intake for ground water (aquifer recharge area).

10. **Boulder zone** is the steepest gradient of a stream or river where the slope ranges from 25 to more than 700 feet per mile. The channel is generally fixed, has high, steeply sloping banks, with bed material ranging in size from cobbles to boulders in the upper reaches. There are also rapids, deep pools, eddies, and waterfalls; flooding is infrequent.
11. **Braided streamway or zone** of a river is where the slope of the river averages more than 5 but less than 25 feet per mile; bed material is of coarse to small size gravel; channels are generally shifting, changing in size and are multiple, reflecting fluctuations in volume discharge, slope changes, and erosiveness of materials; islands, beaches and bars of gravel are also changing in size and form, and the streamway or floodway is wider than the Boulder zone upstream and the Pastoral zone downstream.
12. **Breakwaters** are offshore structures generally built parallel to shore and may or may not be connected to land. They are built to protect harbors, moorages, navigation, and shorelines to retard or prevent wave action. Breakwaters may be fixed, i.e., made of quarry rock, floating, or submerged.
13. **Building** means any structure designed for or used for the support, shelter, or enclosure of persons, animals, or personal property, and which is used in a fixed location on land, shorelands, or tidelands.
14. **Bulkheads** are wall-like structures normally constructed parallel to shore and near the high water mark and are for protecting the shore and uplands from erosion by current and wave action; they may also be for retaining uplands and fills that are prone to sliding, mass movement, or erosion. "Normal protective" bulkheads are the former, utilized to protect single-family residences and properties.

C

1. **Clam harvesting** is the removal or dredging of bottom materials or substrate by mechanical means other than with hand equipment in subtidal or intertidal areas for the purposes of extracting native or planted clam stock.
2. **Channelization** is the straightening, deepening or lining of stream channels, and/or prevention of natural meander progression of streamways, through artificial means such as relocation of channels, dredging, and/or placement of continuous levees or bank

- revetments along significant portions of the stream. Dredging of sediment or debris alone is excluded.
3. **Chemicals** shall be any substance, some synthetic, or mixture of such substances used as a fertilizer, herbicide, pesticide, insecticide, or rodenticide.
 4. **Commercial developments** are those activities which are involved in wholesale, retail, service, and business trade. Included are hotels, motels, grocery markets, shopping centers, restaurants, shops, private or public rental campgrounds or cabins, and indoor recreation facilities. Not included are private camping grounds, residential or recreation subdivisions, marinas, or ports and industry.
 5. **Community dock** is a dock development providing moorage for pleasure craft and/or landing for water sports for use in common by residents of a certain subdivision or community or for use by patrons of a public park or quasi-public recreation area, including rental of nonpowered craft. If a community dock includes covered moorage and/or commercial sale of goods or services, that portion shall be considered a marina.
 6. **Conditional use** for the purpose of this program means a particular type or form of shoreline use or development that is permitted in certain Shoreline Area Designations pursuant to Chapter 11 and/or the regulations of this Master Program.
 7. **Conservancy Shoreline Area** means (1) an area containing natural resources which can be used/managed on a multiple use basis without extensive alteration of topography or banks; including but not limited to forest, agricultural and mineral lands, outdoor recreation sites, fish and wildlife habitat, watersheds for public supplies, and areas of outstanding scenic quality; and/or (2) a shoreline area containing hazardous natural conditions or sensitive natural or cultural features which require more than normal restrictions on development and use of such areas; including but not limited to: eroding shores, geologically unstable areas, steep slopes, floodways, natural accretion beaches, and valuable natural wetlands or historic sites.
 8. **Covered moorage** is a roofed, floating or fixed offshore structure usually without walls other than minimal structural framework needed to support the roof, for the moorage of watercraft or float planes, generally associated with marinas.

9. **Current deflector** is an angled "stub-dike", groin, or sheet-pile structure which projects into a stream channel to divert flood currents from specific areas, or to control downstream current alignment; can be used as an alternative to direct streambank riprap.

D

1. **Dam** means a barrier across a streamway to confine or regulate streamflow or raise water level for purposes such as flood or irrigation water storage, erosion control, power generation, or collection of sediment or debris.
2. **Department** means the Skagit County Planning Department, unless otherwise noted.
3. **Development** means a use consisting of the construction or exterior alteration of structures; dredging; drilling; dumping; filling; removal of any sand, gravel or minerals; bulkheading; driving of piling, placing of obstructions; or any project of a permanent or temporary nature which interferes with the normal public use of the surface of the waters overlying lands subject to the Act at any state of water level.
4. **Dike** is a man-made embankment or revetment normally setback from the river bank or channel in the floodplain for the purpose of keeping floodwaters from inundating adjacent land; material is normally river sand or gravel.
5. **Docks** are structures generally built from the shore extending out over the water to provide moorage for commercial and/or private recreation watercraft or float planes or for water oriented recreation use. Docks may either be anchored to and floating or permanently fixed to pilings. They do not include floats, covered moorages, boathouses, water ski jumps, or launch ramps.
6. **Dredging** is the removal or displacement of earth such as gravel, sand, mud, or silt and/or other materials or debris from any stream, river, lake, or marine water body and associated shorelines and wetlands. Dredging is normally done for specific purposes or uses such as for constructing and maintaining canals, navigation channels, turning basins, harbors and marinas, submarine pipeline or cable crossings, for obtaining material for fill or construction, as part of an aquacultural operation, or dike repair and maintenance.
7. **Dredge spoil** is the material removed by dredging.

8. **Dredge spoils disposal** is the depositing of dredged materials on land or into water bodies for the purpose of either creating new or additional lands for other uses or disposing of the by-products of dredging.
9. **Drift sector** is a reach of marine or lake shoreline within which waterborne drift and accretion of eroded material occurs without significant interruption; drift sectors generally contain these shore process elements: feeder bluff or other erodable shore form, driftway, littoral drift, and accretion terminal or shoreforms.
10. **Driftway** is that portion of the shore process corridor, primarily the upper foreshore, and lower backshore if any, through which sand and gravel are transported by the littoral drift process. The driftway is the essential component between the feeder bluff(s) and accretion shoreforms (2) of an integral drift sector. Driftways are also characterized by intermittent, narrow backshores.

E

1. **Estuarine zone, estuary** is the zero gradient sector of a stream where it flows into a standing body of water together with associated natural wetlands; tidal flows reverse flow in this zone twice daily, determining its upstream limit. It is characterized by low bank channels (distributaries) branching off the main streamway to form a broad, near-level delta; bank, bed and delta materials are silt and clay, banks are stable, vegetation ranges from marsh to forest, and water is usually brackish due to daily mixing and layering of fresh and salt water. Estuarine shores are rich in aquatic and other bird and animal life, and in their natural condition are the most productive of all shoreline habitats in terms of contributions to the marine food chain.
2. **Extreme low tide** is the lowest line on the land reached by a receding tide.
3. **Educational resources** include, all scientific, archaeological, historic, and cultural areas, sites, objects, structures, and traces that are or may be of value to the county, region, state, or nation's citizens.

F

1. **Feedlot** is an enclosure or facility used or capable of being used for feeding all forms of livestock hay, grain, silage, or other feed, but shall not include land for growing crops or

vegetation for livestock feeding and/or grazing nor shall it include normal livestock wintering operations.

2. **Feeder bluff** means any bluff or cliff experiencing erosion from waves, or sliding or slumping, whose eroded sand and gravel material is naturally transported via a driftway to an accretion shoreform.
3. **First Class Tidelands** - The lands lying within, or in front of, the corporate limits of any city or within one mile thereof, upon either side (of the corporate limits) between the line of ordinary high tide and the inner harbor line; and within two miles on either side of corporate limits between the line of ordinary high tide and the line of extreme low tide. (DNR, 1973)
4. **Floating homes** include both permanently or temporarily fixed or docked units utilized for full or part time residential or recreational purposes. Permanently fixed units include those nonmaneuverable structures that are affixed to a dock, piling, or other permanent anchor system yet allowed to rise and fall with changes in water level. Temporarily fixed units include all maneuverable houseboats; live-on boats, and other watercraft that are not permanently affixed to a dock, piling, mooring, or anchor system.
5. **Floats** are those platform structures anchored in fresh or marine waters for water recreational purposes such as swimming, diving, or water skiing to include jump ramps. They may serve as temporary moorage facilities but for the purposes of this program are not considered as docks, piers, or mooring buoys.
6. **Flood control works and flood protection** means all structures and works on streams designed to retard bank erosion, reduce flooding of adjacent lands, to control or divert stream flow, or to create reservoir, including but not limited to revetments, dikes, levees, channelization, dams, vegetative stabilization, weirs, flood and tidal gates. Excluded are water pump apparatus.

Flood protection includes the above structural devices but may also include various techniques of floodplain, river basin, and watershed management which may be applied in lieu of or complementary to structural measures.
7. **Floodplain** means all lands along a river or stream which may be inundated by the base flood of such river or stream. The floodplain includes the streamway, a floodway and floodway fringe.

8. **Floodplain management** means a long-term local government program to reduce flood damages to life and property and to minimize public expenses due to floods through a comprehensive system of planning, development regulations, building standards, structural works, and monitoring and warning systems.
9. **Flood protection** - See "Flood control works and flood protection," No. 5 above.
10. **Floodway** means those portions of the area of a river valley lying streamward from the outer limits of a watercourse upon which flood waters are carried during periods of flooding that occur with reasonable regularity, although not necessarily annually, said floodway being identified, under normal condition, by changes in surface soil conditions or changes in types or quality of vegetative ground cover condition. The floodway shall not include those lands that can reasonably be expected to be protected from floodwaters by flood control devices maintained by or maintained under license from the federal government, the state, or a political subdivision of the state.
11. **Floodway fringe** means that fringe of land in the floodplain outside the floodway which is subject to inundation by the base flood. Flooding in the fringe is limited to flood surge storage of water currents moving at a negligible velocity of less than 0.5 miles per hour.
12. **Foreshore** is the intertidal zone between the mean higher high tide line and the mean lower low tide line; in regards to lateral longshore drift of beach materials, the upper section of the foreshore represents the active material transport zone.
13. **Forest management practices** are those methods and activities used for the protection, production and harvesting of timber products. Such activities include, but are not necessarily limited to road and trail construction, all harvesting phases, thinning, reforestation, fertilization, prevention and suppression of diseases and insects, tree salvage, and debris and brush control.

Excluded from this definition is preparatory work such as tree marking, surveying, and removal of incidental vegetation such as berries, greenery, or other natural products whose removal cannot normally be expected to result in damage to shoreline natural features. Log storage away from forestlands is considered under Industry.
14. **Freestanding sign** is a self-supporting sign placed off and away from the building or use to which it is related.

G

1. **Gabions** are shore defense works made up of rock, rubble, or masonry enclosed by wire mesh to form massive blocks to act as walls on beaches to prevent wave erosion, as foundations for breakwaters or jetties, or as a form of stream bank stabilization.
2. **Geohydraulics** is the action of erosion - transport - accretion that produces, alters, or maintains a shore form.
3. **Groins** are wall-like structures built seaward from the shore into the intertidal zone. Their purpose generally is to build or preserve an accretion beach by trapping littoral sand drift on the updrift side. Groins are usually narrow in width, vary in length, and may be built in a series along a shore; they may be permeable, impermeable, high or low, and fixed or adjustable according to drift conditions.
4. **Guidelines** means those standards adopted to implement the policy of this chapter (RCW 90.58) for regulation of use of the shorelines of the state prior to adoption of master programs. Such standards shall also provide criteria to local governments and the department in developing master programs.

H

1. **Hazardous area** means any shoreline area which is hazardous for intensive human use or structural development due to inherent and/or predictable physical conditions; such as but not limited to steep slopes, unstable soils or bedrock, feeder bluffs, other erosion prone uplands, floodways, or marine storm tide inundation areas.
2. **Hazardous materials** means any substance other than oil containing such elements or compounds which when discharged in any quantity in shorelines present an imminent and substantial danger to public health or welfare; including but not limited to fish, shellfish, wildlife, water quality, and other shoreline features and property.
3. **Hearing Examiner** means the Skagit County Hearing Examiner.
4. **Hearings Board** means the State Shoreline Hearings Board established by the Act in RCW 90.58.170.
5. **Height** means the vertical distance measured from the average elevation of the area occupied by the structure to the highest point of the structure, or of the roof for flat and mansard roofs, and the ridge on gable, shed, hip or other peaked roofs.

6. **Historic site** includes both archaeological and historic sites, structures, or development which provide knowledge about our cultural heritage, including but not limited to Indian and pioneer settlements, old buildings, forts, trails, landings, bridges, or the sites thereof together with interpretive facilities.

I

1. **Impoundment** for the purposes of this program, is the body of water retained by a dam structure for the chief purposes of flood control, livestock watering, irrigation supplies, recreation, fish rearing, or property enhancement.
2. **Industrial development, industry** means privately owned/operated facilities for the processing, manufacturing, storage, and transfer of raw, semi-finished, or finished goods. For the purposes of this program, the following categories of industrial activities in relation to shoreline dependency shall apply:
 1. **Water and shoreline dependent industries and activities** - the following uses are those that cannot logically locate in any other areas except on shorelines:
 - a. Waterborne commerce and transfer to include general cargo, solid and/or liquid bulk products, petroleum, forest and lumber products, mineral products.
 - b. Terminal and transfer facilities for commerce and industry.
 - c. Ship construction, repair, and storage facilities, not to include construction of private, noncommercial pleasure craft.
 - d. Commercial fishing facilities and services.
 - e. Marinas (See Marinas, Chapter 7).
 2. **Water and shoreline related industries and activities** - The following do not necessarily need to be located on shorelines, but rely on and are related to shoreline dependent activities:
 - a. Non-water related warehouse and storage areas and facilities.
 - b. Sand, gravel, and quarry rock extraction (except for river sand extraction).
 - c. Fish and food processing, canning and freezing plants.
 - d. Forest, lumber, and allied wood products plants to include log storage and transport.

e. Petroleum refining, chemical plants, smelters and reduction plants.

3. **Water using industries and activities** - The following perhaps require large volumes of water for cooling, processing, and production but also do not need to be located on shorelines:

a. Thermal electric power plants.

b. Sewage treatment plants.

c. Desalinization plants.

d. Petroleum refining.

e. Wood, lumber, paper, and allied products plants.

f. Fish and food processing plants.

g. Smelters, metal reducing plants, chemical plants.

h. Processing of minerals, mined materials

3. **Inland** means that land area which lies beyond shoreline management jurisdiction or 200 feet from the ordinary high water mark, whichever is greater.

J

1. **Jetties** are structures generally built perpendicular to the shore extending through or past the intertidal zone or foreshore. They are built singly or in pairs at harbor entrances or river mouths mainly to prevent the shoaling or accretion of littoral sand drift. Jetties also protect channels and inlets from storm waves and crosscurrents.

L

1. **Landfill** is the creation, extension, or raising of land area by filling or depositing sand, soil, gravel, dredge spoils, or other materials onto a shoreline, wetland, or water body area.

2. **Launch ramp** is an enclosed slab, set of pads, planks, or graded slope used for launching boats with trailers or occasionally by hand; extensive parking and turn around areas are usually accessory to launch ramps.

3. **Levee** means a natural or man-made embankment on the bank of a stream for the purpose of keeping floodwaters from inundating adjacent land. Some levees have revetments on their sides.

4. **Littoral drift** means the natural movement of sediment, particularly sand and gravel, along marine or lake shorelines by a combination of wave, current action, and prevailing winds (see also driftway, drift sector).

M

1. **Marinas** are fresh or salt water facilities that provide storage (wet and/or dry), launch areas, supplies, and services for pleasure and/or fishing craft. Marinas may be available to the general public through rental or fee agreements or they may be totally private, or for members of a yacht or country club, or a recreational subdivision.
 - a. **Foreshore marinas** are located in intertidal (high tide to low tide) or offshore (low tide and seaward) zones, along lake or river shores, and may be of open pile, floating or solid construction. Because of their location, foreshore marinas usually appropriate and utilize beaches and shoreline resources, surface waters, and may require shore defense works on marine shores.
 - b. **Backshore marinas** are located landward of the high tide line or high water mark, or lake or river shores, and may require harbor and channel dredging, structural support works (bulkheads), and maintenance. Because of this location, offshore defense works are usually not required and beach and shoreline resources are not necessarily appropriated or altered.
2. **Marine storm tide inundation area** means the low lying portions of marine shores subject to flooding from storm tides and/or surges of a magnitude which have a one per cent chance of occurring in any given year. Such areas are not yet precisely mapped but typically are the natural wetland and accretional shoreforms of less than 20 feet elevation Mean Sea Level.
3. **Marsh** means a flat, low lying area periodically or continuously flooded by fresh or salt waters at a shallow level, and characterized by grasses and other primary plants; trees or deep water are not characteristic.
4. **Master program** means the comprehensive use plan for a described area, and the use regulations together with maps, diagrams, charts, or other descriptive material and text, a statement of desired goals and standards developed in accordance with the policies enunciated in RCW 90.58.020.

5. **Mining** is the removal of naturally occurring metallic and nonmetallic minerals and other related materials from, on and beneath the earth's surface. Normally, such removal is for commercial and construction purposes. Mining in general includes deep pit, open pit, or surface mining, quarrying, and placer or hydraulic mining. See "Surface or open pit mining."
6. **Mooring buoys** are those accessories used for the offshore moorage of pleasure craft. These accessories, usually provided by the boat owner, are normally used where docking facilities are not available or when depth to water bottom and tidal changes are insufficient to allow docking for deep hulled craft.
7. **Multi-family dwelling unit** means a building designed or used for a residence by three or more household or family units, including but not limited to rowhouses, apartments, condominium complexes, townhouses.

N

1. **Natural Shoreline Area** is a shoreline area that has experienced little or no material encroachment and has not been materially affected by human use. Areas recognized as unique and reasonably capable of being restored to a natural condition and those areas where former encroachment has been restored by natural processes may be considered under this definition.
2. **Natural wetlands** are any shoreline areas that experience water table levels from within two feet to levels above the average surface grade on a periodic or seasonal basis; including but not limited to bogs, marshes, swamps, estuarine shores, and wetlands associated with shorelines of the state. See "Wetlands".
3. **Non-conforming development or use** for the purposes of this program means a development in lawful use at the effective date of adoption or amendment as appropriate, of this program, which is either prohibited by or does not conform to regulations and policies of this program, including Shoreline Area designations.
4. **Normal protective bulkhead** - See "Bulkhead".

O

1. **Official signs** are directional and other signs or notices erected and maintained by public offices or agencies pursuant to and in accordance with city, county, state or federal law for the purpose of carrying out an official duty or responsibility.
2. **Off-premise sign** is a sign situated on premises other than those premises to which the sign's message is related.
3. **On-premise sign** is a sign, located on the premises, advertising the goods, services, or activities, manufactured, produced, conducted or available on that property.
4. **Open space** means land and natural wetlands which retain their natural or semi-natural character because they have not been developed with structures, paving, or other development and, for the purposes of this program, are normally required of residential and/or recreational developments.
5. **Open pit mining** - See "Surface mining".
6. **Ordinary high water mark (OHWM)** on all lakes, streams, and tidal water is that mark that will be found by examining the bed 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 June 1, 1971 or as it may naturally change thereafter: **PROVIDED**, that in any area where the ordinary high water mark cannot be found, the ordinary high water mark adjoining salt water shall be the line of mean higher high tide and the ordinary high water mark adjoining fresh water shall be the line of mean high water.
7. **Outdoor advertising** is all publicly displayed messages such as signs, billboards, placards, pennants, or posters, whose purpose is to provide official and commercial information, direction, and advertising.
8. **Over-the-water homes** are all structures utilized on a full to part time residential basis that are permanently and rigidly affixed to the land, docks, piling or other permanent anchor systems along and over water bodies.

P

1. **Pastoral zone** means the lower gradient sector of a stream with a slope of less than five but more than zero feet per mile, and is downstream from the braided zone. It is

characterized by a single channel streamway with meander bends looping across a floodplain, bed material of fine gravel to sand grading down to silt; and low, near vertical banks and broad point bars with limited beaches. The Pastoral is normally upstream from the Estuarine zone.

2. **Person** means an individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of the state or local governmental unit however designated.
3. **Piers or wharves** are those large, platform structures, fills or anchored devices in or floating upon water bodies built primarily for commercial, industrial, and port related ship traffic, development, and related activities; including but not limited to boardwalks, monobuoys, sea islands, quays, and ferry terminals.
4. **Planned Unit Development (PUD)** is a harmonious selection of uses and groupings of housing, buildings, services, parking areas, circulation, and open spaces, planned and designed as an integrated unit in such a manner as to constitute a safe, efficient, and convenient development. See Skagit County Zoning Ordinance Chapter 14.04 of the Skagit County Code.
5. **Planning Department** means the Skagit County Planning Department.
6. **Planning Commission** means the Skagit County Planning Commission.
7. **Point** means a low profile shore promontory which may be either the wave-cut shelf remaining from an ancient bluff or the final accretional phase of a hooked spit which closed the leeward side gap. Points are characterized by converging berms accreted by storm waves, which enclose a lagoon, marsh, or meadow, depending on the point's development stage.
8. **Point bar** means an accretion shoreform created by deposition of sand and gravel on the inside, convex side of streamway bends. Most material is transported downstream as sediment and bedload at times of high current velocity, or flood stage, from eroding banks or other bars upstream.
9. **Ports** are public or private facilities for the transfer of cargo and/or passengers to and from waterborne craft, utilizing piers, wharves, sea islands, commercial float plane moorages, offshore buoys, dredged or naturally deep waterways and basins, and cargo transfer equipment. Excluded are marinas and boat ramps used primarily for recreation,

boat building and repair, and cargo storage and parking areas not essential to port operations; the latter two groups are considered as industrial or accessory to other uses.

10. **Protective berms** are naturally or artificially placed linear mounds of gravel, sand, and beach material lying parallel to the shore at or above the ordinary high water mark. Berms can be the most effective and economical defense work if designed and built to suit the conditions.
11. **Recreation** is the re-creation and refreshment of body and mind through forms of play, sports, relaxation, amusement, or contemplation.
 - a. **Passive shoreline recreation** is the light to moderate intensities of recreation such as skin diving, hiking, day camping, viewing, nature study, canoeing, kayaking, sailing, clamming, and fishing.
 - b. **Active shoreline recreation** or recreation development is the more intensive, land consumptive use of the shoreline areas by the activity and associated facilities. See "Recreation development."
12. **Recreation development** - Modification of the natural or existing environment to accommodate recreation. This includes clearing land, earth modifications, structures and other facilities such as parks, camps, campgrounds, camping clubs, golf courses, and other outdoor recreation areas. Second home subdivisions of land, resorts, motels, hotels, and other commercial enterprises are not included; however, the policies and regulations of the Recreation section apply to recreation use associated with such development.
13. **Region** means the four counties of northwest Washington State-Whatcom, San Juan, Skagit and Island-as well as incorporated cities and towns therein and water boundaries within the county boundaries.
14. **Residential development** is the subdivision of land for human occupancy normally in the structural forms of single family homes, trailers, mobile homes and parks, condominiums, multi-family units, and planned unit developments (PUD). Recreational subdivisions and camping developments or clubs are included in this section and definition. Motels, hotels and other transient or commercial housing are considered under "Commercial Development."

15. **Revetments** are sloped walls constructed of riprap or other substantial material, placed on stream banks or marine shorelines to retard bank erosion from high velocity currents or waves respectively.
16. **Riprap** means hard, angular quarry rock used for stream bank stabilization or other flood control works.
17. **Roof sign** - a sign erected upon, against, or directly above a roof or on top of or above the parapet of a building; signs on mansard roofs shall be considered wall signs.
18. **Rural Shoreline Area** is a shoreline typified by low overall structural density and low to moderate intensity of uses; primary uses include agriculture, outdoor recreation, forestry operations, and low to moderate residential density.
19. **Rural Residential Shoreline Area** is a shoreline area characterized by low to medium intensity land uses that exhibit small scale alterations to the natural shoreline environment. These land uses are generally of a residential, commercial, recreational, and agricultural nature with utilities and services provided on an individual or community basis.

S

1. **Scientific and Educational Resources** are all those shoreline areas and sites of archaeological, historic, cultural, educational, and scientific value to citizens of this county, region, and/or state.
2. **Scientific resources** include all natural geologic, biologic, aquatic and geohydraulic formations, process areas, sectors, reaches, or ecosystems that are unique or valuable to the county, region, or state for education, observation, research, and study purposes.
3. **Seawalls** are structures normally more massive than bulkheads and revetments, built for the purpose of protecting the shore and uplands from heavy wave action and incidentally, retaining uplands and fills. Seawalls are not common to the Puget Sound region.
4. **Second Class Tidelands** - The lands outside of and more than two miles from the limits of an incorporated city or town, between the ordinary high tide line and the line of extreme low tide. If the abutting upland was patented before statehood (November 11, 1889), the upland ownership will extend to the line of ordinary high tide or the government meander line, whichever is further out. (DNR, 1973)

5. **Sensitive area** means any area which is naturally unsuitable or undesirable for intensive human use or structural development due to its higher development costs or its relatively higher value to region or community in its natural or present condition; such as but not limited to estuaries, marshes, swamps, bogs, accretion beaches, historic sites, and unique or scarce fish and wildlife habitats.
6. **Shore defense works** are structures or modifications normally used on marine and lake shores for the purpose of retarding bank or shore erosion by current and wave action, retaining uplands or fill areas, protecting channels and harbors from wave action, and encouraging the deposition of beach materials. These structures or modifications include but are not necessarily limited to bulkheads, seawalls, revetments, breakwaters jetties, groins, gabions, and protective berms.
7. **Shoreland** means the periodically submerged land on the shore of a navigable lake or navigable river upstream of tidal flow between OHWM and the line of navigability.
8. **Shoreline dependent use** - Any reasonable use that requires a shoreline or water surface location because of its functional nature, including but not limited to navigation, ports, marinas, docks, piers, floats, boat fueling stations, shipyards, seafood harvest, aquaculture, recreational boating and swimming, and research and observation of natural shoreline phenomena.
9. **Shoreline related use** is any use dependent upon a shoreline location for the following reasons:
 - a. is an integral part of the operation of a shoreline dependent use; or
 - b. cannot operate successfully inland from shorelines under existing physical and economic conditions; or
 - c. provides a substantial number of people with opportunities to enjoy shorelines without causing significant adverse impacts upon other more appropriate uses and shore features.
10. **Shoreline permit** means a permit issued by Skagit County pursuant to RCW 90.58.140 as required for substantial development on shorelines of the state (also includes shoreline conditional use and variance permits).
11. **Shoreline stabilization** - Shoreline stabilization activities include river and streamway modifications designed to stabilize eroding or erosion prone stream banks, protecting the

adjacent property and existing developments. These modifications commonly occur in the form of riprap, revetments, and other structural stream bank defense works.

12. Shorelines means all of the water areas of the state, including reservoirs, and their 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.

13. Shorelines of Statewide Significance means the following shorelines of the state for the purposes of this program:

1. Those areas of Puget Sound and adjacent salt waters and the Strait of Juan de Fuca between the ordinary high water mark and the line of extreme low tide as follows:
 - a. Nisqually Delta - from DeWolf Bight to Tatsolo Point,
 - b. Birch Bay - from Point Whitehorn to Birch Point,
 - c. Hood Canal - from Tala Point to Foulweather Bluff,
 - d. Skagit Bay and adjacent area - from Brown Point to Yokeko Point; and
 - e. Padilla Bay - from March Point to William Point; and
2. Those areas of Puget Sound and the Strait of Juan de Fuca and adjacent salt waters north to the Canadian line and lying seaward from the line of extreme low tide; and
3. Those lakes, whether natural, artificial, or a combination thereof, with a surface acreage of one thousand acres or more measured at the ordinary high water mark;
4. Those natural rivers or segments thereof as follows:
 - a. Any west of the crest of the Cascade Range downstream of a point where the mean annual flow is measured at one thousand cubic feet per second or more;
 - b. Any east of the crest of the Cascade range downstream of a point where the annual flow is measured at two hundred cubic feet per second or more,

or those portions of rivers east of the crest of the Cascade range downstream from the first three hundred square miles of drainage area, whichever is longer;

5. Those wetlands associated with 1, 2, 3, and 4 above.
14. **Shorelines of the State** are the total of all shorelines and Shorelines of Statewide Significance within the state.
15. **Sign** - See "Outdoor advertising".
 - a. **Scenic route signs** - signs on those streets, roads, or highways designated by law as scenic routes. These signs shall be considered official signs. Commercial and/or private scenic route signs are considered normal outdoor advertising.
 - b. **Sign area** is that area enclosed by straight lines drawn around the periphery or edges of the sign, excluding the supporting structure. The maximum sign areas established by this program shall be allowed on each face of a double-faced sign. A double-faced sign is considered one sign.
 - c. **Sign height** is the vertical distance from the average grade level at the sign or supporting structure base to the highest point of the sign, including its supporting structure.
16. **Solid waste** is all putrescible and non-putrescible solid and semi-solid waste including garbage, ashes and sludge, industrial wastes, swill, demolition and construction wastes, junked vehicles, and any other discarded materials.
17. **Statement of exemption** means a written statement by the Administrator that a particular development proposal is exempt from the shoreline permit requirement and is generally consistent with this program including the policy of the Act (RCW 90.58.020).
18. **Streamway** means a river or stream's central runoff corridor including all wet and dry channels, together with adjacent point bars, channel bars, and islands, which are wetted or surrounded by stream flow at bankful (annual flood) stage; all the floodway fringe and portions of the floodway are excluded. The streamway operates as a natural system of meander progression characteristic of its particular geohydraulic zone: Boulder, Braided, Pastoral, or Estuarine Zones.
19. **Structure** is anything constructed or erected with a fixed location on the earth and joined together in a different manner (pursuant to the Uniform Building Code).

20. **Substantial development** shall mean 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 developments for the purpose of this chapter: See Chapter 2, Section 2.05 for list of exemptions.
21. **Surface or open-pit mining** involves either the removal of surface material (overburden) to enable the underlying mineral resources to be exposed and extracted (quarried) or the direct extraction of naturally occurring surface minerals and materials such as rock, sand, gravel, and aggregate. Removal of sand from river bars is considered a surface mining activity.

T

1. **Tideland** means the land on the shore of marine water bodies between OHW or MHHW and the line of extreme low tide which is submerged daily by tides.
2. **Timber** shall mean forest trees standing or down of a commercial species including Christmas trees.
3. **Transportation facilities** are those structures and developments that aid in land and water surface movement of people, goods, and services. For this program, these facilities include:
 - a. All forms of roads and roadways, including bikeways and equestrian trails.
 - b. Parking areas for vehicles of all types.
 - c. Bridges and causeways.
 - d. Rail transportation.Excluded are ferry terminals (See “Ports”).

U

1. **Upland** shall mean those shoreline areas landward of OHWM except backshores, natural wetlands, and floodplains.
2. **Urban Shoreline Area** is a shoreline area of intensive development including, but not limited to residential, commercial, and industrial uses. Areas suitable are those presently subjected to intensive use as well as those planned to accommodate urban expansion.

3. **Utilities** include but are not necessarily limited to facilities and services that generate, transport, process, or store water, sewage, solid waste, electrical energy, communications and pipelines for fuel, oil, natural gas, and petroleum products. Also included are fire fighting facilities and administrative structures associated with the operation of the utilities.

V

1. **Variance** for the purpose of this program means an adjustment in the application of bulk, dimensional or performance standards to a particular site (property) pursuant to Chapter 10 of this Master Program.
2. **Vegetative stabilization** includes planting of (1) vegetation upon shoreline banks, slopes or berms to retain soil and retard erosion from surface runoff; (2) aquatic vegetation offshore to reduce wave action and retain bottom materials; (3) utilization of temporary structures or netting to enable plants to establish themselves in unstable areas.

W

1. **Wetlands or wetland areas** mean those lands extending landward for 200 feet in all directions as measured on a horizontal plane from the ordinary high water mark; floodways and contiguous floodplain areas landward 200 feet from such floodways; and all marshes, bogs, swamps, and river deltas associated with the streams, lakes, and tidal waters which are subject to the provisions of this chapter; the same to be designated as to location by the Department of Ecology; PROVIDED, that any county or city may determine that portion of a 100 year floodplain to be included in its master program as long as such portion includes, as a minimum, the floodway and the adjacent land extending landward 200 feet therefrom.
2. **Wharves** - See "Piers or wharves."