CITY OF SAMMAMISH  
WASHINGTON  
ORDINANCE NO. O2011 - 308  

AN ORDINANCE OF THE CITY OF SAMMAMISH, WASHINGTON, ADOPTING REVISIONS TO THE SAMMAMISH SHORELINE MASTER PROGRAM ADOPTED BY ORDINANCE 2009-265 AND REPLACING THE KING COUNTY SHORELINE MASTER PROGRAM ADOPTED BY KING COUNTY ORDINANCE 3688; AMENDING THE CITY OF SAMMAMISH COMPREHENSIVE PLAN; ADOPTING SHORELINE MAPS; AND CODIFYING THE SHORELINE MASTER PROGRAM INTO TITLE 25 OF THE SAMMAMISH MUNICIPAL CODE  

WHEREAS, after an extensive public process starting in 2006 and culminating in 2009, the City Council adopted an updated Shoreline Master Program by Ordinance 2009-265 on October 6, 2009; and  

WHEREAS, the 2009 Shoreline Master Program was submitted to the Washington State Department of Ecology for review and approval pursuant to state law and regulation; and  

WHEREAS, after their own public process, on May 5, 2011 the Department of Ecology conditionally approved the City’s adopted 2009 SMP subject to a list of required and recommended changes; and  

WHEREAS, the City Council has reviewed public comments received by the City and by Ecology, the Cumulative Impact Analysis, and a variety of additional documentation submitted as a part of the City Council’s review process; and  

WHEREAS, the City Council has also reviewed additional documentation included in the Council record, such as information in the June 20, 2011 Council packet including the Staff Summary of Rationale for the 20 foot Setback, the Response to Ecology: Summary of Memorandum on Desbonnet, et al., ESA/Adolfson Review of Overwater Structures Standards for Pine and Beaver Lakes, and material in the July 18, 2011 Council packet such as the Supplementary Information document, and the City Council adopts the findings and conclusions therein; and  

WHEREAS, pursuant to WAC 173-26-120 (7)(b)(i) the City Council finds acceptable and adopts most of the required and recommended Ecology changes to the Shoreline Master Program, as set forth in Attachment A-REVISED to this ordinance; and  

WHEREAS, pursuant to WAC 173-26-120 (7)(b)(ii) the City Council has developed alternative language for selected changes to the Shoreline Master Program, also as set forth in Attachment A-REVISED to this ordinance; and
WHEREAS, for certain issues the City of Sammamish is choosing to take action to adopt a revised Shoreline Master Program even though the City may not agree with the state Department of Ecology’s required or recommended changes and no alternative language that is acceptable to the City and to Ecology has been developed, and

WHEREAS, the City Council has provided opportunities for public comments and suggested amendments, and the City Council has considered such input at the public hearing sessions on June 20, 2011 and July 18, 2011.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. Adoption of revisions to the Shoreline Master Program. The revisions to policies and regulations as set forth in Attachment A-REVISED to this ordinance are hereby adopted as revisions to the Sammamish Master Plan adopted by Ordinance 2009-265.

Section 2. Repeal of Title 25 of the Sammamish Municipal Code. Title 25 of the Sammamish Municipal Code, which contains portions of the King County Shoreline Master Program adopted by King County Ordinance 3688, is hereby repealed.

Section 3. Codification of the Shoreline Master Program. The City Council authorizes the Community Development Director and City Clerk to codify the regulatory provisions of the Sammamish Shoreline Master Program within Title 25 of the Sammamish Municipal Code, and to create a user guide for ease of use and reference.

Section 4 Interpretation. The City Council authorizes the Community Development Director to administratively interpret these provisions as necessary to implement the intent of the City Council.

Section 5. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 6. Effective Date. This ordinance shall be published in the official newspaper of the City, and shall be transmitted to the Washington State Department of Ecology for review and approval. This ordinance shall become effective 14 days after Ecology’s written notice of final action.
ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 18th DAY OF JULY, 2011.

CITY OF SAMMAMISH

[Signature]
Mayor Donald J. Gerend

ATTEST/AUTHENTICATED:

[Signature]
Melonie Anderson, City Clerk

Approved as to form:

[Signature]
Bruce L. Disend, City Attorney

Filed with the City Clerk: June 15, 2011
Public Hearing: June 20, 2011
First Reading: June 20, 2011
Public Hearing: July 18, 2011
Passed by the City Council: July 18, 2011
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