DRAFT
CITY OF SAMMAMISH
WASHINGTON
ORDINANCE NO. O2009 - 265

AN ORDINANCE OF THE CITY OF SAMMAMISH, WASHINGTON, ADOPTING THE 2009 SAMMAMISH SHORELINE MASTER PROGRAM 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, the City incorporated in August of 2009;

WHEREAS, the City Council adopted the City’s Comprehensive Plan on September 16, 2003, and the City has enacted zoning consistent with the comprehensive plan; and

WHEREAS, the City Council adopted the Sammamish Municipal Code on October 7, 2003 and subsequent revisions have been made since that time; and

WHEREAS, the City has not adopted a Shoreline Master Program to replace the King County Shoreline Master Program, originally adopted by King County Ordinance 3688 on May 1, 1978; and

WHEREAS, the State of Washington passed the Shoreline Management Act of 1971 governing the adoption of Shoreline Master Programs, as currently set forth within Chapter 58 of Title 90 of the Revised Code of Washington, and subject to the Washington State Department of Ecology’s administrative rules contained within Title 173 of the Washington Administrative Code; and

WHEREAS, the City applied for, and obtained a grant from the Washington State Department of Ecology in March of 2006 to assist in the preparation and adoption of a 2009 Sammamish Shoreline Master Program; and

WHEREAS, the City has completed the preparation of supporting information and background material for the 2009 Shoreline Master Program; and

WHEREAS, the City Council adopted lake buffers and other protections associated with Lake Sammamish, Pine Lake, and Beaver Lake as part of Ordinance O2005-193; and

WHEREAS, the new Shoreline Master Program provides for protection and development standards on Lake Sammamish, Pine Lake, and Beaver Lake that are equivalent to, or
provide greater protection than, the protection and development standards contained within Ordinance O2005-193; and

WHEREAS, the City Council intends to repeal those portions of Ordinance O2005-193 that provide for the lake buffers and other protections associated with Lake Sammamish, Pine Lake, and Beaver Lake concurrent with the adoption of the 2009 Sammamish Shoreline Master Program; and

WHEREAS, development applications are reviewed for compliance with these regulations; and

WHEREAS, a State Environmental Policy Act (SEPA) Determination of Non Significance for the proposed 2009 Shoreline Master Program and associated SMC 21A.50 (Critical Areas) amendments was issued on August 26, 2009; and

WHEREAS, in accordance with WAC 365-195-620, a notice of intent to adopt the proposed Sammamish Shoreline Master Program was received by the State of Washington Department of Community, Trade and Economic Development on August 11, 2009; and

WHEREAS, the public process for the proposed amendments has provided for extensive public participation opportunities at more than twenty public meetings and hearings before the Planning Commission and City Council as well as a number of public open houses, and dialogue sessions between June of 2007 and July of 2009; and

WHEREAS, the Planning Commission held public meetings and public hearings in 2007 and 2008 and forwarded a recommend Sammamish Shoreline Master Program to the City Council on January 6, 2009; and

WHEREAS, the City Council considered the proposed Sammamish Shoreline Master Program at a City Council public hearing on March 17, 2009, which was continued on June 2, 2009, and September 1, 2009; and

WHEREAS, the City Council considered the Planning Commission’s recommendation, public comment, and other available information.

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

Section 1. Adoption of the Shoreline Master Program. The 2009 Sammamish Shoreline Master Program set forth in Attachment “A” to this ordinance is hereby adopted.

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 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 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 on the date that the Department of Ecology issues formal approval of the ordinance.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 6TH DAY OF OCTOBER 2009.

CITY OF SAMMAMISH

[Signature]
Mayor Donald J. Gerend

ATTEST/AUTHENTICATED:

[Signature]
Melonie Anderson, City Clerk
Approved as to form:

Bruce L. Disend, City Attorney

Filed with the City Clerk: August 26, 2009
Public Hearing: September 1, 2009
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Public Hearing: September 8, 2009
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