

RESOLUTION NO. 1020

CITY OF LACEY

A RESOLUTION APPROVING THE CITY'S PROPOSED AMENDMENTS TO THE SHORELINE MASTER PROGRAM FOR SUBMITTAL TO THE DEPARTMENT OF ECOLOGY.

WHEREAS, The Washington State Department of Ecology has updated the Washington State wetland rating systems for eastern and western Washington to incorporate the most current and best available scientific information; and

WHEREAS, the updates to the rating system require the City to update the Wetlands Protection chapter of the Lacey Municipal Code (LMC); and

WHEREAS, due to the changes required in the wetland chapter of the LMC, a limited amendment to the Shoreline Master Program will be necessary; and

WHEREAS, on November 18, 2014, the Planning Commission reviewed the proposed amendments to the Shoreline Master Program and recommended no changes; and

WHEREAS, on December 2, 2014 the Planning Commission held a public hearing on the proposed amendments. At the conclusion of the public hearing the Planning Commission voted unanimously to recommend the proposed amendments to the City Council for adoption; and

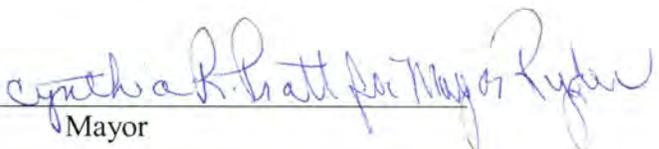
WHEREAS, pursuant to state law, the Shoreline Master Program cannot be formally adopted by the City until it is approved by the State Department of Ecology,

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, that the Council hereby approves those certain amendments to the Shoreline Master Program as attached hereto, and directs that said amendments be submitted to the Washington State Department of Ecology for approval prior to formal adoption by the City Council.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, this 18th day of December, 2014.

CITY COUNCIL

By 
Mayor

Attest:


City Clerk

Approved as to form:


City Attorney

17.10.020 References to Plans, Regulations or Information Sources

1. Where this Program makes reference to any RCW, or WAC, as amended and the current edition of other state, or federal regulations, shall apply.
2. Local Lacey plans and codes being referenced in this Shoreline Master Program include the following:
 - A. Title 14 of the Lacey Municipal Code (LMC): The Lacey Title on Buildings and Construction that includes Lacey's critical area ordinances and design review chapters, specific sections referenced include:
 - LMC Chapter 14.04, International Building and International Residential Code;
 - LMC Chapter 14.23, Design Review;
 - LMC Chapter 14.24, Environmental Policy;
 - LMC Chapter 14.28, Wetlands Protection* (Ordinance # [_____](#), [1295, 10/25/07](#) [12/18/2014](#));
 - LMC Chapter 14.31, Zero Effect Drainage Discharge;
 - LMC Chapter 14.32, Tree and Vegetation Protection and Preservation* (Ordinance 1269, 07/27/06);
 - LMC Chapter 14.33, Habitat Protection* (Ordinance 1215, 11/06/03);
 - LMC Chapter 14.34, Flood Hazard* (Ordinance 1265, 06/08/06);
 - LMC Chapter 14.37, Geologically Sensitive Areas* (Ordinance 1208, 08/18/03);
 - B. Title 15 of the LMC: The Lacey Land Division Ordinance;
 - C. Title 16 of the LMC: The Lacey Zoning Code;
 - D. Development Guidelines and Public Works Standards (DGPWS)*;
 - E. The Lacey Comprehensive Land Use Plan developed under the State Growth Management Act (GMA) and all of its elements. Elements specifically referenced include:
 - City of Lacey and Thurston County Land Use Plan for the Urban Growth Area;
 - City of Lacey Housing Element
 - Environmental Protection and Resource Conservation Plan and its Urban Forest Management Plan;
 - Lacey Comprehensive Plan for Outdoor Recreation;
 - City of Lacey 2030 Transportation Plan;
 - Appendix 1 City of Lacey Public Access Plan
 - Appendix 2 Vegetation/Landscaping Examples and Guidelines
 - Appendix 3 Shoreline Environmental Designations
 - Appendix 4 Portions of the original Inventory and Characterization Report and Environmental Designations that apply to Lacey. For informational purposes the full report is provided in CD format in the slipcover of this appendix.
 - Appendix 5 Cumulative Impacts Report
 - Appendix 6 Shoreline Environmental Designations
 - Appendix 7 Referenced City of Lacey Ordinances Used in this Document ([Include ordinance adopting revisions to CAO](#))

NOTES REGARDING REFERENCED DOCUMENTS:

* denotes a reference considered by the Department of Ecology to be mandatory fulfilling an identified requirement of local SMPs and required to be identified by date of adoption and adopted version and attached as an appendix to the SMP.

References **not** identified by an * are considered “loose” reference by the Department of Ecology and are not required to be adopted in an appendix.

Portions of the LMC referenced as a requirement [of providing compliance with RCW 90.58.090\(4\) and the SMP Guidelines \(WAC 173-26, Part III\)-of the SMP](#) and designated with an * will be the version in effect at the time of adoption of the Shoreline Master Program and will not include amendments made to those Plans or sections of the LMC after the date of adoption. [Pursuant to WAC 173-26-191\(2\)\(b\), amending the referenced regulations in the SMP for those areas under shoreline jurisdiction will require an amendment to the master program and approval by the Department of Ecology.](#)

~~Pursuant to a determination made by the Department of Ecology, later amendment to ordinances designated with an * will not be considered applicable to and will not change content of the Shoreline Master Program and therefore will not require amendment of the Shoreline Master Program. If the City wants to update the Shoreline Master Program to include such amendments in those areas under Shoreline Jurisdiction, Lacey may file for amendment of the Shoreline Master Program to include the amendments. Otherwise, the Shoreline Master Program will continue to use the version of the * referenced document in effect at the time the Shoreline Master Program was adopted, as shown in the applicable appendix.~~

Pursuant to a determination made by the Department of Ecology those ordinances “loosely” referenced will apply to shoreline areas when updated, but will not require amendment of the SMP.

[Changes will also include the addition of the ordinance amendments to Chapter 14.28, Wetland Protections in Appendix 7.](#)