

ATTACHMENT A

EXHIBIT 2

Underlined text are additions; ~~strikethrough~~ text are deletions

UPMC Title 18 -- SHORELINE MASTER PROGRAM

GENERAL POLICIES AND REGULATIONS

18.15.100 Inspections.

Pursuant to RCW 90.58.200, the Administrator or authorized representatives may enter land or structures to enforce the provisions of this Shoreline Program. ~~Such entry shall follow the provisions set forth in Chapter 1.20 UPMC.~~

18.15.110 Penalties and enforcement.

B. Enforcement action may be taken by the City or Department of Ecology whenever a person has violated any provision of the Shoreline Management Act or this Shoreline Program or other regulation promulgated under the Act. Enforcement action by the City shall be in accordance with Chapter 1.20 UPMC and/or Chapter 1.30 UPMC for enforcement procedures and penalties.

18.25.070 Shoreline ecological protection and mitigation.

D. Regulations – Critical Areas.

1. The City's critical areas regulations, codified under UPMC Title 17, apply to critical areas in the shoreline jurisdiction. Chapters 17.05, 17.10, 17.15, 17.20, 17.25, 17.30 and 17.35 UPMC are herein incorporated into this SMP, except as noted in subsection (D)(5) of this section. The critical areas regulations being incorporated into the SMP are those referenced in Ordinance No. 630, effective October 28, 2013 and Ordinance No. 670, effective June 27, 2016. In the event these regulations are amended, the edition referenced herein will still apply in shoreline jurisdiction. Changing this reference to recognize a new edition will require a master program amendment.

2. If there are any conflicts or unclear distinctions between this Shoreline Program and the critical areas regulations, the requirements that are the most specific shall apply.

3. All uses and development occurring within the shoreline jurisdiction shall comply with the City's critical area regulations as adopted herein.

4. Nonconforming structures and uses within critical areas that are within shoreline areas shall be subject to the provisions of this Shoreline Program.

5. Critical areas provisions that are not consistent with the SMA, Chapter 90.85 RCW, and supporting Washington Administrative Code chapters shall not apply in shoreline jurisdiction, as follows:

a. Critical area provisions do not extend shoreline jurisdiction beyond the limits specified in this Shoreline Program. For regulations addressing critical area buffer areas that are outside shoreline jurisdiction, see UPMC Title 17.

b. Provisions relating to variance procedures and criteria in Chapter 17.10 UPMC do not apply in shoreline jurisdiction. Variance procedures and criteria have been established in UPMC 18.15.050 and in WAC 173-27-170.

c. Reasonable uses exceptions in Chapter 17.10 UPMC are not available for relief from critical area standards within the shoreline jurisdiction. Instead, applicants seeking relief from the critical area standards shall apply for a shoreline variance.

d. Provisions relating to the substitution of Army Corps of Engineers Section 404 individual permits for City of University Place wetland reviews do not apply in shoreline jurisdiction, as the Section 404 individual permit review process may not fully address requirements of this Shoreline Program.

e. In shoreline jurisdiction, identification of wetlands and delineation of their boundaries shall be done in accordance with the approved Federal wetland delineation manual and applicable regional supplements, per WAC 173-22-035. ~~Specifically, the delineation and wetland analysis requirements in UPMC 17.35.025(A) do not apply.~~

f. In shoreline jurisdiction, the wetland point scale used to separate wetland categories in UPMC 17.35.020(A) through (D) does not apply. Category I wetlands are those that score 23 or more points, category II wetlands are those that score between 20 and 22 points, category III wetlands are those that score between 16 and 19 points, and category IV wetlands are those that score between nine and 15 points.

g. In shoreline jurisdiction, fish and wildlife habitat areas as defined in UPMC 17.10.005 shall not include such artificial features or constructs as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of and are maintained by a port district or an irrigation district or company.