ORDINANCE NO. 1789-12

AN ORDINANCE OF THE CITY OF MILTON, WASHINGTON, ADOPTING THE SHORELINE MASTER PROGRAM AND AMENDING SECTION 18.12.005 OF THE MILTON MUNICIPAL CODE

WHEREAS, RCW 90.58.080 requires the City of Milton to adopt an updated Shoreline Master Program by April of 2012; and

WHEREAS, the City of Milton received grant #100047 from the Department of Ecology to complete the City's update of the Shoreline Master Program; and

WHEREAS, the City Council retained the services of Makers Architecture, Planning and Urban Design to assist in the study, preparation, public process, and development process for development of the proposed Shoreline Master Program; and

WHEREAS, the Planning Commission held three public open houses on November 3rd, 2010, July 22nd 2011, and December 14th, 2011; and

WHEREAS, the City completed its SEPA review on the proposed Shoreline Master Program, and issued a DNS on December 7th, 2011; and

WHEREAS, the 60-day Dept of Commerce review period has completed; and

WHEREAS, the Planning Commission held a public hearing on December 14th, 2011, adopted Findings of Fact, attached as exhibit A, and made a unanimous recommendation to the City Council to approve the Shoreline Master Program; and

WHEREAS, the City Council held a public hearing on April 16th, 2012; now therefore

THE CITY COUNCIL OF THE CITY OF MILTON, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. The City of Milton Shoreline Master Program, attached as Exhibit B and incorporated by this reference as if set forth in full, is adopted as the shoreline master program for the City of Milton as required by Chapter 90.58 RCW.

Section 2. Milton Municipal Code section 18.12.005 is hereby amended to read as follows:

18.12.005 Adoption.

The City of Milton Shoreline Master Program, adopted by Milton Ordinance No. 1789-12 is adopted by reference as though set forth herein in full.
Section 3. Severability. If any one or more section, subsections, or sentences of this ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

Section 4. Effective Date. This ordinance shall be in full force and effect after final approval by the Department of Ecology as stated in WAC 173-26-120(8).

PASSED AND APPROVED at the regular meeting of the City Council of the City of Milton, this 15th day of October, 2012.

Approved:

[Signature]
Debra Perry, Mayor

Attest/Authenticated:

[Signature]
Amy Stevenson-Ness, Deputy City Clerk

Approved As To Form:

By:

[Signature]
Phil A. Olbrechts, City Attorney

Published:
Effective Date:
Milton Planning Commission
Findings of Fact
Shoreline Master Program Update
December 14th, 2011

This matter came before the Planning Commission on 1/26/11, 2/23/11, 3/23/11, 4/27/11, 5/25/11, 6/22/11, 7/27/11, 10/16/11, and at a public hearing held at Milton City Hall on December 14th, 2011 after public notice was issued, as required by law. On December 14th, 2011 the Commission, after considering the staff reports, City files, records with the staff reports, and written and spoken testimony at the Public Hearing, now makes and enters the findings of fact set forth below.

Findings of Fact
In support of Amendments to the Shoreline Master Program

The City is the proponent of the Shoreline Master Program amendments, and is required to review and amend the Shoreline Master Program pursuant to RCW 90.58.080.

The City received a grant from the Department of Ecology to update the Shoreline Master Program. Part of this grant required the submittal of a public participation plan, which was followed and expanded in scope by the Planning Commission.

On November 23rd, 2011, July 22nd 2011, and December 14th, 2011, the Planning Commission held Public Open Houses to solicit input from the Citizens regarding the Shoreline Master Program Update.

The Planning Commission utilized the outcome of the Open House meeting in developing the Shoreline Master Program.

The proposal is supported by the following Comprehensive Plan policies:
- Pol. OS 1.5 The City shall promote the addition of public access to Surprise Lake.
- Pol. SL 1.1 All development activities shall be located, designed, constructed, and managed to minimize disturbance of and minimize adverse impacts to fish and wildlife resources, including spawning, nesting, rearing and habitat areas, and migratory routes.
- Pol. SL 1.2 The City shall prohibit the unnecessary disturbance of natural vegetation and wooded areas in new development, in accordance with the critical areas ordinance.
- Pol. SL 1.4 The City shall seek to retain as open space, wetlands, river and stream banks, ravines, and any other areas that provide essential habitat for sensitive and locally important plant or wildlife species.
- Pol. SL 1.6 The City shall consider the impacts of new development on water quality as part of its review process and require any appropriate mitigating measures. Impacts on fish resources shall be a priority concern in such reviews.

On December 14th, 2011 the Planning Commission held a public hearing, after public notice was issued as required by the Milton Municipal Code.

Chair

Recording Secretary

Date 12/14/11

Date 12/14/11