POULSBORO DISTRIBUTION SCHEDULE

ORDINANCE NO. 2012-10

SUBJECT: 2012 Shoreline Master Program Update

CONFORM AS TO DATES & SIGNATURES
(X) Filed with the City Clerk: 06/18/2012
(X) Passed by the City Council: 07/11/2012
(X) Signature of Mayor
(X) Signature of City Clerk
(X) Publication: 07/20/2012
(X) Effective: SEE SECTION 7
() Recorded: N/A

DISTRIBUTED COPIES AS FOLLOWS:
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(X) Code Publishing
() City Attorney
() Civil Service Commission and/or Sec/Chief Examiner
() Clerk’s Department:
() City Council
() Finance:
(X) Posted to Library Drive and Website

Jill A. Boltz ____________________________  July 19, 2012
City Clerk  ____________________________  Date
ORDINANCE NO. 2012-10

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, ADOPTING THE 2012 SHORELINE MASTER PROGRAM UPDATE; AMENDING CHAPTERS 16.08 AND 16.09 OF THE POULSBO MUNICIPAL CODE IN ORDER TO ADOPT SHORELINE REGULATIONS; AMENDING THE NATURAL ENVIRONMENT CHAPTER OF THE POULSBO COMPREHENSIVE PLAN IN ORDER TO MAKE THE SAME CONSISTENT WITH THE SHORELINE MASTER PROGRAM UPDATE; AMENDING CHAPTER 16.20 OF THE POULSBO MUNICIPAL CODE IN ORDER TO MAKE THE CITY'S CRITICAL AREAS REGULATIONS CONSISTENT WITH THE SHORELINE MASTER PROGRAM UPDATE; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Shoreline Management Act (RCW 90.58) requires all local governments to prepare and adopt a shoreline master program that is consistent with the Department of Ecology's Shoreline Master Program Guidelines (WAC 173-26) but that is tailored to meet the needs of the local community, and

WHEREAS, the City of Poulsbo's current shoreline master program was adopted in 1976 and has remained essentially unchanged since that date, and

WHEREAS, in 2003 the state legislature established a new schedule for required updates of all local shoreline master programs which requires that the City of Poulsbo update its shoreline master program no later than 2012, and

WHEREAS, City staff began working on a shoreline master plan update in 2009 and a public participation plan was adopted for the shoreline master program update in June 2009, and

WHEREAS, the shoreline master program update consists of the adoption of shoreline regulations, the amendment of shoreline goals and policies in the comprehensive plan, and amendment of the City's critical areas regulations in order to make the same consistent with the shoreline update, and

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WHEREAS, City staff submitted a draft shoreline master program update to the Department of Ecology for review and comment in November 2010 and, after receiving comments, released a draft shoreline master program update to the public for review and comment in July 2011, and

WHEREAS, environmental review of the shoreline master program update was conducted and a Determination of Non-Significance (DNS) was issued for the proposed update on October 14, 2011, and

WHEREAS, the City gave the required 60-day notice of intent to adopt the shoreline master program update to the Department of Commerce on November 23, 2011, and

WHEREAS, the Poulsbo Planning Commission conducted five workshop meetings on the proposed update between August and October, 2011, and

WHEREAS, the Poulsbo Planning Commission held a public hearing on the proposed shoreline master program update on November 15, 2011 and, after considering all of the public testimony and other information received, voted to recommend approval of the shoreline master program update with modifications, and

WHEREAS, after receiving the recommendation of the Poulsbo Planning Commission, the Poulsbo City Council held five workshop meetings on the recommended plan between January and March, 2012, and

WHEREAS, the Poulsbo City Council conducted its own public hearing on the shoreline master program update on April 11 and May 2, 2012 and, after considering all of the public testimony and other information received, determined to adopt the shoreline master plan update in the form provided in this ordinance, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF POU LSBO, WASHINGTON, DO ORDAIN AS FOLLOWS:
Section 1. Findings. In support of the actions undertaken by this ordinance, the Poulsbo City Council hereby adopts the findings of the Poulsbo Planning Commission dated November 15, 2011.

Section 2. Shoreline Master Program Regulations and Maps. The current Chapter 16.08 of the Poulsbo Municipal Code is hereby repealed and replaced with the new Chapter 16.08 and the shoreline maps attached to this Ordinance as Exhibit A and incorporated herein by this reference as if fully set forth.

Section 3. Shoreline Administrative Regulations. A new Chapter 16.09 is hereby added to the Poulsbo Municipal Code to read as set forth on Exhibit B attached to this Ordinance and incorporated herein by this reference as if set forth in full.

Section 4. Comprehensive Plan Amendments. Those sections of the Natural Environments Chapter of the Poulsbo Comprehensive Plan set forth on Exhibit C to this Ordinance and incorporated herein by this reference as if fully set forth are hereby amended to read as set forth on said exhibit.

Section 5. Critical Areas Amendments. Those sections of Chapter 16.20 of the Poulsbo Municipal Code set forth on Exhibit D to this Ordinance and incorporated herein by this reference as if fully set forth are hereby amended to read as set forth on said exhibit.

Section 6. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 7. Effective Date. This ordinance shall take effect and be in full force upon approval of the amendments adopted herein by the Washington State Department of Ecology pursuant to RCW 90.58.090 and WAC 173-26-120.

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APPROVED:

MAYOR REBECCA ERICKSON

ATTEST/AUTHENTICATED:

CITY CLERK JILL A. BOLTZ, CMC

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY
JAMES E. HANEY

FILED WITH THE CITY CLERK: 06/18/2012
PASSED BY THE CITY COUNCIL: 07/11/2012
PUBLISHED: 07/20/2012
EFFECTIVE DATE: SEE SECTION 7
ORDINANCE NO. 2012-10
SUMMARY OF ORDINANCE NO. 2012-10

of the City of Poulsbo, Washington

On the 11th day of July, 2012, the City Council of the City of Poulsbo, passed Ordinance No. 2012-10. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, ADOPTING THE 2012 SHORELINE MASTER PROGRAM UPDATE; AMENDING CHAPTERS 16.08 AND 16.09 OF THE POULSBO MUNICIPAL CODE IN ORDER TO ADOPT SHORELINE REGULATIONS; AMENDING THE NATURAL ENVIRONMENT CHAPTER OF THE POULSBO COMPREHENSIVE PLAN IN ORDER TO MAKE THE SAME CONSISTENT WITH THE SHORELINE MASTER PROGRAM UPDATE; AMENDING CHAPTER 16.20 OF THE POULSBO MUNICIPAL CODE IN ORDER TO MAKE THE CITY'S CRITICAL AREAS REGULATIONS CONSISTENT WITH THE SHORELINE MASTER PROGRAM UPDATE; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.

DATED this 17th day of July, 2012.

[Signature]

CITY CLERK JILL A. BOLTZ, CMC

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