ORDINANCE NO. 1830-0613

AN ORDINANCE OF THE CITY OF SHELTON, WASHINGTON, RELATING TO LAND USE; REPEALING THE 1995 CITY OF SHELTON SHORELINE MASTER PROGRAM AND ADOPTING A NEW SHORELINE MASTER PROGRAM.

WHEREAS, authority for regulation of Shorelines of the State are contained in the Shoreline Management Act (RCW 90.58) and the Washington State Shoreline Guidelines contained in WAC 173-26; and

WHEREAS, in 2003 the Department of Ecology issued guidelines (WAC 173-26) for updating local shoreline master programs; and

WHEREAS, the last major update to the City’s Shoreline Master Program occurred in 1995; and

WHEREAS, in 2007 the City of Shelton updated its Critical Areas Ordinance to current science and standards; and

WHEREAS, the City hired ESA (consultant) to aid in preparation of an Inventory and Characterization Report, No Net Loss Report, and aid the City in drafting updated Shoreline Master Program policies and regulations; and

WHEREAS, the City Commission established a Joint Technical Advisory Committee and Citizens Advisory Committee that aided in review of the draft master program; and

WHEREAS, the City Community & Economic Development Director forwarded a copy of the changes proposed under this Ordinance to the Washington State Department of Commerce on March 13, 2013, pursuant to RCW 36.70A.106; and

WHEREAS, the City of Shelton Community and Economic Development Director provided SEPA notice for the proposed update to all affected agencies and Indian tribes and also provided the notice in the Shelton Journal for two consecutive weeks (April 25, 2013 and May 2, 2013); and

WHEREAS, the City Commission held a public hearing regarding the proposed update with the hearing being held open for comment from April 1, 2013 until May 6, 2013 and incorporated changes into the document based on input received.

NOW THEREFORE, be it ordained by the City Commission of the City of Shelton, Washington that the 1995 City of Shelton Shoreline Master Program be repealed and replaced with the Shoreline Master Program as included in Attachment “A” to this Ordinance as follows:
Severability. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared unconstitutional or invalid for any reason, such invalidity shall not affect the validity or effectiveness of the remaining portions of this ordinance.

Effective Date. This ordinance concerns powers vested solely in the Commission as a legislative entity and shall take effect five days after passage as provided by law.

INTRODUCED the 28th day of May 2013.

ADOPTED by the City Commission of the City of Shelton, Mason County, Washington at a regular open public meeting held the 3rd day of June 2013, the following Commissioners being present and voting in favor of this ordinance.

ATTEST:

City Clerk Look

Mayor Cronce

Commissioner Olsen

Commissioner Pannell