

**ORDINANCE NO. 2497
CITY OF SUMNER, WASHINGTON**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUMNER, WASHINGTON, ADOPTING THE 2012 CITY OF SUMNER SHORELINES MASTER PROGRAM.

WHEREAS, pursuant to the laws of the State, the City of Sumner must periodically update its Shoreline Master Program (SMP); and

WHEREAS, during 2011 and 2012, the City worked with citizens, agencies and subject matter experts to update the previous SMP; and

WHEREAS, the draft 2012 SMP update was reviewed by the Sumner Planning Commission on May 10, 2012 and recommended for adoption by the City Council; and

WHEREAS, on August 6, 2012, the Sumner Council conducted a public hearing and voted to approve Ordinance No. 2399, giving preliminary approval to the 2012 SMP update; and

WHEREAS, the Washington State Department of Ecology (DOE) subsequently reviewed the SMP update as required by law and subsequently adopted the update into the Washington Administrative Code (WAC) also as provided by law; and

WHEREAS, final approval must now be provided; and

WHEREAS, staff has made minor changes to the SMC update as recommended by DOE and as adopted into the WAC; and

WHEREAS, to; 1) simplify to the Sumner Municipal Code; 2) simplify use of the SMP; 3) simplify the process of making future revisions and updates of the SMP; and 4) reduce the potential for inadvertent creation of contradictions between the SMC and SMP, staff recommends that the specific content of the SMP be removed from Title 16 of Sumner Municipal Code and replaced by references to the SMP document.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SUMNER, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Chapter 16.08 SMC is hereby amended to read as follows.

16.08 General Provisions

Sections:

16.08.010 Title.

16.08.020 Purpose.

16.08.030 Applicability of regulations.

16.08.040 Adoption of shoreline master program.

16.08.050 Relation of municipal code to the shoreline master program.

16.08.060 Amendments to the shoreline master program.

16.08.010 Title. The ordinance codified in this division may be known and may be cited as the “Sumner shoreline master program regulations.”

16.08.020 Purpose. This division is intended to comply with the Shoreline Management Act of 1971 (the Act).

16.08.030 Applicability of regulations. The shoreline master program regulations are applicable to the shoreline, extending 200 feet from the high water mark of the White (Stuck) and Puyallup Rivers and their associated wetlands.

16.08.040 Adoption of shoreline master program. The shoreline master program update, dated June, 2012, is adopted as the shoreline master program for the city.

16.08.050 Relation of municipal code to the shoreline master program. Title 16, Division II and applicable sections of chapter 18.56 SMC codify the regulations and procedures set forth in the shoreline master program. Where there is a conflict between the requirements of the Sumner Municipal Code and the shoreline master program, the shoreline master program shall prevail.

16.08.060 Amendments to the shoreline master program. The U.S. Fish and Wildlife Service and the National Marine Fisheries Service shall receive early and continual notice of any amendments to the shoreline master program.

Section 2. Chapter 16.12 SMC is hereby amended in its entirety to read as follows:

16.12 DEFINITIONS. Definitions applicable in the shorelines area are as per City of Sumner Shoreline Master Program as currently adopted.

Section 3. Chapter 16.14 SMC is hereby amended in its entirety to read as follows:

16.14 SHORELINE ENVIRONMENT DESIGNATIONS. Shoreline designations applicable in the shorelines area are as per City of Sumner Shoreline Master Program as currently adopted.

Section 4. Chapter 16.16 SMC is hereby amended in its entirety to read as follows:

Chapter 16.16 GENERAL REGULATIONS. General Regulations applicable in the shorelines area are as per City of Sumner Shoreline Master Program as currently adopted.

Section 5. Chapter 16.20 SMC is hereby amended in its entirety to read as follows:

Chapter 16.20 SPECIFIC USE REGULATIONS. Specific Use Regulations applicable in the shorelines area are as per City of Sumner Shoreline Master Program as currently adopted.

Section 6. Chapter 16.24 SMC is hereby amended in its entirety to read as follows:

Chapter 16.24 SUBSTANTIAL DEVELOPMENT PERMITS. Substantial Development Permits procedures applicable in the shorelines area are as per City of Sumner Shoreline Master Program as currently adopted.

Section 7. Chapter 16.28 SMC is hereby amended in its entirety to read as follows:

Chapter 16.28 VARIANCES. Variance procedures applicable in the shorelines area are as per City of Sumner Shoreline Master Program as currently adopted.

Section 8. Chapter 16.30 SMC is hereby amended in its entirety to read as follows:

Chapter 16.30 CONDITIONAL USE. Conditional Use Permit procedures applicable in the shorelines area are as per City of Sumner Shoreline Master Program as currently adopted.

Section 9. Chapter 16.32 SMC is hereby amended in its entirety to read as follows:

Chapter 16.32 NONCONFORMING DEVELOPMENTS AND USES. Nonconforming Developments and Uses procedures applicable in the shorelines area are as per City of Sumner Shoreline Master Program as currently adopted.

Section 10. Chapter 16.36 SMC is hereby amended in its entirety to read as follows:

Chapter 16.36 ENFORCEMENT. Enforcement procedures applicable in the shorelines area are as per City of Sumner Shoreline Master Program as currently adopted

Section 11. Severability - Construction. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance. If the provisions of this ordinance are found to be inconsistent with other provisions of the Sumner Municipal Code, this ordinance is deemed to control.

Section 12. Effective Date. This Ordinance shall become effective five days from and after its passage, approval, and publication as provided by law.

Passed by the City Council and approved by the Mayor of the City of Sumner, Washington, at a regular meeting thereof this 6th day of October, 2014.



Mayor David L. Enslow

ATTEST:

APPROVED AS TO FORM:



City Clerk Terri Berry, MMC



City Attorney Brett C. Vinson

First Reading: 10/06/14
Date Adopted: 10/06/14
Date of Publication: 10/09/14
Effective Date: 10/14/14

*** FAX MULTI TX REPORT ***

JOB NO. 2465

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ORDINANCE NO. 2496
CITY OF SUMNER, WASHINGTON

AN ORDINANCE OF THE CITY OF SUMNER, WASHINGTON, PROVIDING FOR THE ISSUANCE AND SALE OF A BOND ANTICIPATION NOTE FOR THE PURPOSE OF PROVIDING INTERIM FINANCING FOR IMPROVEMENTS WITHIN THE 136TH/VALENTINE CONSOLIDATED LOCAL IMPROVEMENT DISTRICT IN THE AGGREGATE PRINCIPAL AMOUNT OF \$4,700,000; PROVIDING THE DATE, FORM, TERMS AND MATURITY OF SAID NOTE; PROVIDING THE METHOD OF REPAYMENT OR REFINANCING FOR THE NOTE AT MATURITY; AND APPROVING THE SALE OF SUCH NOTE.

City Clerk Terri Berry, MMC
Dated this 7th day of October, 2014

The full text of Ordinance No. 2496 will be provided upon request
Date of Publication: Thursday, October 9, 2014

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Terri Berry

From: TAC-Bastin, Laura <laura.bastin@thenewstribune.com>
Sent: Tuesday, October 07, 2014 8:59 AM
To: Terri Berry
Subject: LEGAL # 1328488
Attachments: OrderConf.pdf

Here is your notice, set for the 10/9 News Tribune. The cost is \$170.57; the affidavit will be sent after publication. Thank you again!

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ORDINANCE NO. 2496 CITY OF SUMNER, WASHINGTON AN ORD

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10/9/2014
ORDINANCE NO. 2496 CITY OF SUMNER, WASHINGTON AN ORD

Terri Berry

From: Terri Berry
Sent: Tuesday, October 07, 2014 8:43 AM
To: (gmcclel@co.pierce.wa.us); Andrew Fickes; Art Sphar; Axel Lindstrom (savik7@gmail.com); Barbara Ford; Brian Cunningham; Brian Haines; Carmen Palmer; Cathy Pashon; Connie Ota; Courtney Flora; Dale Loseth; Dawn - Loren Combs (dck@vsilawgroup.com); Earle Stuard (es4271@gmail.com); Eric Mendenhall; Hans Hechtman (Hans_Hechtman@cable.comcast.com); Jeff Steffens; Jeremiah Lafranca - MBA (gam@mbapierce.com); Jerry Thorson (jthorson@eastpiercefire.org); Jim Merritt; Joe Fessler (JoeF@ci.sumner.wa.us); Joe Gerace; Joe Gerace2; John Galle; John Humphries; John McDonald (jmcDonald@eastpiercefire.org); Kari Plog; Katharine Rode; Kathy Hayden (dkhayden@q.com); Leroy Goff; Martha Humphries; Randy Hynek-Home; Sarah Gillispie; Sarah Wehmann; Shelly Schlumpf (shelly@puyallupsumnerchamber.com); Sumner Library Contact (lheyerdahl@piercecounitylibrary.org); Susan Atkinson; Teresa Cozad; Tiffany Spier; Tribune Tips; Tricia Jarbeaux (tjarbea@co.pierce.wa.us)
Subject: Ordinances 2496 & 2497 Passed

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*City Clerk Terri Berry, MMC
City of Sumner
1104 Maple Street
Sumner, WA 98390*

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AFFIDAVIT OF PUBLICATION

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Attention: TERRI BERRY

CITY OF SUMNER
1104 MAPLE ST
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NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN that the City of Sumner City Council has fixed the 6th day of October, 2014, at 7:00 PM in Sumner City Council Chambers, located at 1104 Maple Street, Sumner, WA, as the time and place for a public hearing to consider an ordinance amending Title 16 of Sumner Municipal Code placing the previously adopted 2012 Shorelines Master Program into the Code.

Any persons desiring to submit written comments concerning this application may submit written comments or requests to the City of Sumner, Attn: Eric Mendenhall, 1104 Maple Street, Suite 250, Sumner, WA 98390. Written comments may be submitted prior to the hearing by 5:00 p.m., the 6th day of October, 2014 or at the public hearing. Please call the Community Development Department at 253.299.5526 for any questions regarding the above application.
PUBLISHED: 09/27/14
POSTED: 09/26/14

KATIE CALHOUN, being duly sworn, deposes and says: That she is the Principal Clerk of The News Tribune, a daily newspaper printed and published in Tacoma, Pierce County, State of Washington, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of six months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The News Tribune, as amended, for:

1 Insertions

Beginning issue of: 09/27/2014

Ending issue of: 09/27/2014

K. Calhoun

(Principal Clerk)

Subscribed and sworn on this 29th day of September in the year of 2014 before me, a Notary Public, personally appeared before me Katie Calhoun known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Notary Public in and for the State of Washington, residing in Pierce County
1950 S. State St, Tacoma, WA 98405

