



Legislation Text

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Clerk 10/23/2020

AN ORDINANCE relating to the shoreline master program, and amending Ordinance 3692, Section 2, as amended, and K.C.C. 20.12.200.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. The Shoreline Management Act ("SMA") requires King County to develop and administer a shoreline master program.

B. In 2019, as required by RCW 90.58.080(4), King County completed a periodic review of its shoreline master program ("SMP") via Ordinance 19034.

C. WAC 173-26-090(1) allows local governments to review and make amendments to shoreline master programs more frequently than the periodic review required in RCW 90.58.080.

D. In 2020, King County adopted locally initiated amendments to the SMP via Ordinances 19128 and 19146.

E. As required by RCW 90.58.090 and WAC 173-16-110, the county submitted the SMP amendments in Ordinances 19128 and 19146 to the state Department of Ecology for review and approval.

F. During review of Ordinances 19128 and 19146, the state Department of Ecology identified a technical correction that was needed in King County Code in order to comply with WAC 173-26-191(2)(b). This ordinance addresses that correction.

G. King County consulted and worked collaboratively with the state Department of Ecology during the drafting of the amendments in this ordinance.

H. King County reviewed the amendments in this ordinance to the SMP and find that they are consistent with the requirements of chapter 90.58 RCW and chapter 173-26 WAC, as they apply to the amendments.

SECTION 2. The elements of the King County SMP in section 3 of this ordinance are hereby adopted and amended to read as set forth in this ordinance and are incorporated herein by this reference. The remaining portions of the county's SMP is unchanged.

SECTION 3. Ordinance 3692, Section 2, as amended, and K.C.C. 20.12.200 are hereby amended to read as follows:

A. The King County shoreline master program consists of the following elements (~~(in effect on the effective date of this ordinance)~~), enacted on or before the date of enactment of this ordinance (Proposed Ordinance 2020-0xxx):

1. The King county Comprehensive Plan chapter six;
2. K.C.C. chapter 21A.25;
3. The following sections of K.C.C. chapter 21A.24:
 - a. K.C.C. 21A.24.045;
 - b. K.C.C. 21A.24.051;
 - c. K.C.C. 21A.24.055;
 - d. K.C.C. 21A.24.070.A., D. and E.;
 - e. K.C.C. 21A.24.125;
 - f. K.C.C. 21A.24.130;
 - g. K.C.C. 21A.24.133;
 - h. K.C.C. 21A.24.200;
 - i. K.C.C. 21A.24.210;
 - j. K.C.C. 21A.24.220;

- k. K.C.C. 21A.24.275;
- l. K.C.C. 21A.24.280;
- m. K.C.C. 21A.24.290;
- n. K.C.C. 21A.24.300;
- o. K.C.C. 21A.24.310;
- p. K.C.C. 21A.24.316;
- q. K.C.C. 21A.24.318;
- r. K.C.C. 21A.24.325;
- s. K.C.C. 21A.24.335;
- t. K.C.C. 21A.24.340;
- u. K.C.C. 21A.24.355;
- v. K.C.C. 21A.24.358;
- w. K.C.C. 21A.24.365;
- x. K.C.C. 21A.24.380;
- y. K.C.C. 21A.24.382;
- z. K.C.C. 21A.24.386; and
- aa. K.C.C. 21A.24.388; and

4. The following:

- a. K.C.C. 20.18.040;
- b. K.C.C. 20.18.050;
- c. K.C.C. 20.18.056;
- d. K.C.C. 20.18.057;
- e. K.C.C. 20.18.058;
- f. K.C.C. 20.22.160;

- g. K.C.C. 20.24.510;
- h. K.C.C. 21A.32.045;
- i. K.C.C. 21A.44.090;
- j. K.C.C. 21A.44.100; and
- k. K.C.C. 21A.50.030.

B. The shoreline management goals and policies constitute the official policy of King County regarding areas of the county subject to shoreline management jurisdiction under chapter 90.58 RCW. As provided by WAC 173-26-191(2)(a), King County's local administrative, enforcement and permit review procedures shall conform to chapter 90.58 RCW but shall not be a part of the master program.

C. Amendments to the shoreline master program do not apply to the shoreline jurisdiction until approved by the Washington state Department of Ecology as provided in RCW 90.58.090. The department of local services, permitting division, shall, within ten days after the date of the Department of Ecology's approval, file a copy of the Department of Ecology's approval, in the form of a paper copy and an electronic copy, with the clerk of the council, who shall retain the paper copy and forward electronic copies to all councilmembers, chief of staff, policy staff director and the lead staff of the mobility and environment committee, or its successor.

SECTION 4. The county shall submit section 3 of this ordinance to the state Department of Ecology for its approval, as provided in RCW 90.58.090.

SECTION 5. Section 3 of this ordinance takes effect within the shoreline jurisdiction fourteen days after the state Department of Ecology provides written notice of final action stating that the proposal is approved, in accordance with RCW 90.58.090. The executive shall provide the written notice of final action to the clerk of the council.

SECTION 6. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to

other persons or circumstances is not affected.