

**Business of the City Council
City of University Place, WA**

Proposed Council Action:

Adopt Amendments to Title 18 Shoreline Master Program of the University Place Municipal Code Pertaining to Definitions, Nonconforming Uses and Development, and Procedures, and Adopt Amendments to Title 19 Zoning Pertaining to Nonconforming Uses.

Agenda No:

Dept. Origin: Planning and Development Services

For Agenda of: July 16, 2018

Exhibits: Proposed Ordinance
Ordinance Exhibit A -- Proposed Amendments

Concurred by Mayor: _____

Approved by City Manager: _____

Approved as to form by City Attorney: _____

Approved by Finance Director: _____

Approved by Department Head: _____

Expenditure Required	0	Amount Budgeted	0	Appropriation Required	0
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SUMMARY / POLICY ISSUES

University Place is required under the Shoreline Management Act (SMA) to review, and if necessary revise, its Shoreline Master Program (SMP) at least once every eight years. It must review amendments to the SMA and Department of Ecology rules that have occurred since the master program was last amended and determine if amendments are needed to maintain compliance. A schedule adopted by the state legislature directs Pierce, King and Snohomish counties, and the municipalities within these counties, to complete their periodic reviews, and adopt amendments if warranted, no later than June 30, 2019.

On June 18, 2018, the City Council held a study session to review proposed periodic review amendments. Generally, the amendments are minor and procedural in nature and would not result in significant changes to how the City regulates shoreline properties. Amendments include changes to the definitions of *development*, *exempt development*, *floodplain*, *floodway*, and *substantial development*. Additional amendments would clarify Ecology permit filing and appeal timelines, provide greater flexibility for moving nonconforming structures and resuming dormant operations considered to be nonconforming uses, and exempt certain environmentally beneficial state projects from local shoreline permitting processes. An associated amendment to UPMC 19.80.040.B Nonconforming Uses would change code references to *abandonment* of nonconforming uses to *vacation or discontinuation* of nonconforming uses, per case law.

BOARD AND AGENCY RECOMMENDATIONS

On June 6, 2018, the Planning Commission held a joint public hearing with the Department of Ecology to solicit comment on the proposed amendments. The Commission voted unanimously to recommend approval of amendments to UPMC Chapters 18.10 Definitions, 18.15 Administration, and 19.80 Nonconforming Lots, Uses, and Structures. These amendments are contained in Proposed Ordinance Exhibit A attached to this Council Bill.

On June 14, 2018, staff submitted a *Responsiveness Summary* to Ecology that summarizes public comment received at the Commission's public hearing and provides responses to this comment. Ecology has reviewed the Commission's recommended amendments and *Responsiveness Summary* and issued an *Initial Compliance Determination* that the proposal is consistent with state shoreline planning policies and guidelines.

RECOMMENDATION / MOTION

Move To: Adopt Ordinance ____ An Ordinance of the City of University Place, Washington, Amending Title 18 Shoreline Master Program Chapter 18.10 Definitions and Chapter 18.15 Administration, and Title 19 Zoning Chapter 19.80 Nonconforming Lots, Uses, And Structures, in Accordance with the Shoreline Management Act and the Department of Ecology Shoreline Master Program Guidelines.