

1 Sponsored by: Councilmembers Stan Flemming and Derek Young
2 Requested by: Executive/Planning and Land Services
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6 **ORDINANCE NO. 2013-45s4**

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9 **An Ordinance of the Pierce County Council Relating to the Pierce County**
10 **Shoreline Master Program; Amending Chapter 1.22 of the**
11 **Pierce County Code (PCC), "Pierce County Hearing**
12 **Examiner Code"; Title 18 PCC, "Development Regulations –**
13 **General Provisions"; Title 18A PCC, "Development**
14 **Regulations – Zoning"; Title 18E PCC, "Development**
15 **Regulations – Critical Areas"; Title 18H PCC, "Development**
16 **Regulations – Forest Practices"; Title 18J PCC,**
17 **"Development Regulations – Design Standards and**
18 **Guidelines"; Adopting a New Title 18S PCC, "Development**
19 **Policies and Regulations – Shorelines"; Repealing Title 20**
20 **PCC, "Shoreline Management Use Regulations" and the**
21 **Shoreline Master Program for Pierce County as Originally**
22 **Adopted on March 4, 1974; Adopting Findings of Fact; and**
23 **Setting an Effective Date.**
24

25 **Whereas**, the State of Washington provides a timetable for local governments to
26 amend shoreline master programs through the Revised Code of Washington (RCW)
27 90.58.080; and
28

29 **Whereas**, in response to RCW 90.58.080, the Pierce County Council initiated the
30 establishment of a Shoreline Citizens Advisory Committee (SCAC), with members
31 appointed from a variety of citizen and interest groups, to work on draft policies,
32 regulations, and maps through Resolution No. R2008-12s; and
33

34 **Whereas**, RCW 36.70A.480 provides that the goals and policies contained in a
35 local shoreline master program shall be considered an element of the local
36 comprehensive plan required by the Growth Management Act. All other portions of the
37 local shoreline master program, including the use regulations, are considered a part of
38 the local development regulations required by the Growth Management Act; and
39

40 **Whereas**, the Shoreline Master Program (SMP) update project is considered a
41 comprehensive update to the existing Shoreline Master Program; and
42

43 **Whereas**, the SMP update recognizes the preferences in RCW 90.58.020, which
44 states: "...[L]ocal government, in developing master programs for shorelines of
45 statewide significance, shall give preference to uses in the following order of preference
46 which:
47



- 1 1. Recognize and protect the statewide interest over local interest;
- 2 2. Preserve the natural character of the shoreline;
- 3 3. Result in long term over short term benefit;
- 4 4. Protect the resources and ecology of the shoreline;
- 5 5. Increase public access to publicly owned areas of the shorelines;
- 6 6. Increase recreational opportunities for the public in the shoreline;
- 7 7. Provide for any other element as defined in RCW 90.58.100 deemed
- 8 appropriate or necessary"; and
- 9

10 **Whereas**, in response to criteria provided in the State Shoreline Guidelines, the
11 SMP update contains a system to classify shoreline areas into specific shoreline
12 environment designations. The classification system is consistent with that described in
13 Washington Administrative Code (WAC) 173-26-211 (4) and (5) and includes policies
14 for each environment that includes (1) Purpose, (2) Classification Criteria, and (3)
15 Management Policies which are consistent with the prescribed guidelines; and

16
17 **Whereas**, the Pierce County Council adopted Resolution No. 2009-56 that
18 directed the Planning and Land Services Department to initiate a process to consolidate
19 and reduce the complexity of the Pierce County Development Regulations; and

20
21 **Whereas**, in response to the Council's Resolution to consolidate and reduce the
22 complexity of regulations, several Titles within the Pierce County Development
23 Regulations were modified as part of the SMP update; and

24
25 **Whereas**, pursuant to RCW 90.58.130 and WAC 173-26-100, Pierce County
26 shall make all reasonable efforts to inform, fully involve and encourage participation of
27 all interested persons, private entities, and agencies of the federal, state or local
28 government having interests and responsibilities relating to shorelines of the state and
29 the local master program; and

30
31 **Whereas**, in response to RCW 90.58.130, feedback was solicited on the SMP
32 update by holding meetings of the SCAC to provide input to a draft; sending the draft to
33 interested parties for comment, providing frequently updated draft documents on the
34 Pierce County website with contact information for comments and questions; sending
35 informational postcards to the owners of properties along shorelines; hosting open
36 houses/general meetings in Gig Harbor, Bonney Lake, Key Peninsula, and Anderson
37 Island; public meetings before local Land Use Advisory Commissions of Gig Harbor,
38 Key Peninsula, Graham, Parkland-Spanaway-Midland, and Mid-County to explain the
39 documents and impacts; sending email notification to interested parties of the
40 environmental determination; and holding public hearings before the Pierce County
41 Planning Commission; and

42
43 **Whereas**, pursuant to WAC 173-26-120, the Department of Ecology shall review
44 the SMP update for compliance with WAC 173-26-100 and 173-26-110; **Now**
45 **Therefore**,



1 **BE IT ORDAINED by the Council of Pierce County:**

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3 Section 1. Chapter 1.22 of the Pierce County Code, "Pierce County Hearing
4 Examiner Code," is hereby amended as shown in Exhibit A, which is attached hereto
5 and incorporated herein by reference.

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7 Section 2. Title 18 of the Pierce County Code, "Development Regulations –
8 General Provisions," is hereby amended as shown in Exhibit B, which is attached hereto
9 and incorporated herein by reference.

10
11 Section 3. Title 18A of the Pierce County Code, "Development Regulations –
12 Zoning," is hereby amended as shown in Exhibit C, which is attached hereto and
13 incorporated herein by reference.

14
15 Section 4. Title 18E of the Pierce County Code, "Development Regulations –
16 Critical Areas," is hereby amended as shown in Exhibit D, which is attached hereto and
17 incorporated herein by reference.

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19 Section 5. Title 18H of the Pierce County Code, "Development Regulations –
20 Forest Practices," is hereby amended as shown in Exhibit E, which is attached hereto
21 and incorporated herein by reference.

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23 Section 6. Title 18J of the Pierce County Code, "Development Regulations –
24 Design Standards and Guidelines," is hereby amended as shown in Exhibit F, which is
25 attached hereto and incorporated herein by reference.

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27 Section 7. A new Title 18S of the Pierce County Code, "Development Policies
28 and Regulations – Shorelines," is hereby adopted as shown in Exhibit G, which is
29 attached hereto and incorporated herein by reference.

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31 Section 8. The list of parcels with a split environmental designation are hereby
32 adopted as set forth in Exhibit H, which is attached hereto and incorporated herein by
33 reference.

34
35 Section 9. Findings of Fact are hereby adopted as set forth in Exhibit I, which is
36 attached hereto and incorporated herein by reference.

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38 Section 10. Title 20 of the Pierce County Code, "Development Regulations –
39 Shorelines" and the Shoreline Master Program for Pierce County as originally adopted
40 on March 4, 1974, are hereby repealed in their entirety.



1 Section 11. This Ordinance shall become effective 90 days following final
2 approval by the Washington State Department of Ecology.

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5 PASSED this 10th day of March, 2015.

6
7 ATTEST:

PIERCE COUNTY COUNCIL

Pierce County, Washington

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11 Denise D. Johnson

12 Denise D. Johnson
13 Clerk of the Council

Dan Roach

14 Dan Roach
15 Council Chair

16
17 Pat McCarthy

Pat McCarthy

Pierce County Executive

18 Approved Vetoed _____, this

19 24 day of June,
20 2015.

21
22
23 Date of Publication of

24 Notice of Public Hearing: January 28, 2015

25
26 Effective Date of Ordinance: See Section 11 above

