

Shoreline Master Program Conformance Amendments

Public Hearing

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January 23, 2023





Recommended Action

Hold the Public Hearing on the proposed SMP Conformance LUCA Ordinance, and, following the Public Hearing, direct staff to prepare the SMP Conformance LUCA Ordinance for final action at a future meeting.



Agenda

1. Background
 - a) Ord. No. 6670
 - b) Ord. No. 6673
2. Proposed Amendments
3. Review Process
4. Staff Recommendation



Ordinance Nos. 6670 & 6673

- **EBCC Sunset LUCA (Ord. 6670)**
 - Removed references in LUC to former EBCC
 - Responded to state legislation – HB 1769
- **Quasi-Judicial Appeals LUCA (Ord. 6673)**
 - Removed Council role in quasi-judicial appeals
 - Applied to Process I and III land use matters
- Neither included amendments to Shoreline Master Program (Ch. 20.25E LUC)



Proposed Amendments

- **SMP Amendments:**
 - Remove references to EBCC
 - Remove Council role in Shoreline Process I actions
 - Only includes Shoreline Conditional Use Permits
 - Appeals directed to State Shoreline Hearings Board
 - Shoreline Process II and III remain the same
- **Other Amendments**
 - Clean up remaining references to quasi-judicial appeals in LUC 20.35 (Review and Appeal Procedures)



Process & Engagement

Date	Action
Dec 8, 2022	Notice of Application (Weekly Permit Bulletin)
Dec 12, 2022	Project Webpage Published
Dec 22, 2022	Notice of Joint 30-day Comment Period and Public Hearing <ul style="list-style-type: none">• Weekly Permit Bulletin• Seattle Times• Dept. of Ecology Notices
Jan 9, 2023	Council Study Session
Jan 23, 2023	Council Public Hearing
Feb-Mar 2023	Initial Determination of Consistency from Ecology
Mar-Apr 2023	Council Final Action <ul style="list-style-type: none">• May adopt on Consent (unless changes needed)
Apr-May 2023	Final Determination of Consistency from Ecology



Staff Recommendation

LUCA meets the decision criteria under LUC 20.30J.135:

**1. Consistent with
Comprehensive
Plan**

**2. Enhances
public health,
safety, or welfare**

**3. Not contrary to
interests of
citizens, property
owners**





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