MEMORANDUM

TO: City Council Members
FROM: Steven Sundin, Planning Department
DATE: January 28, 2013
SUBJECT: Shoreline Master Program Revisions

On December 17, 2012 the Department of Ecology (DOE) issued their "Conditional Letter of Approval" of the City of Bellingham's updated Shoreline Master Program (2013 SMP) that included a list of required and recommended revisions. These required and recommended revisions are in addition to the list of required and recommended revisions that was issued by the DOE's Bellingham Field Office in May of 2012. These additional revisions include:

- Changing the shoreline designation of portions of Squalicum Creek designated NATURAL to URBAN CONSERVANCY on the maps and within the text. (Buffer widths remain the same as do regulations protecting floodplain functions and channel migration zones.)
- Inserting use tables in each of the shoreline designation types.
- Moving subsections that apply to all development generally out of 22.09 (Use Regulations) and into 22.08 (General Regulations). Examples include 'lighting' / 'parking' / 'signage' / etc.
- Increasing the qualifying dollar amount for a shoreline permit exemption to $6,416.00.
- Adding two new definitions: "Accessory Development" and "Appurtenances."
- Correcting cross references on maps and within the text.

The 2013 SMP shows all of DOE's required and recommended revisions in legislative format.

Because DOE's required and recommended revisions improve the City's SMP and are not substantively significant, staff recommends that the City Council:

- Accept the revisions;
- Direct staff to send a letter to DOE accepting the required and recommended revisions; and
- Perform a 1st and 2nd reading of the adopting ordinance, attached.

Upon receipt of the City's acceptance letter, DOE considers the City's 2013 SMP approved.

On Monday February 11, City Council will perform a 3rd and final reading of the adopting ordinance. Fifteen days later Title 22, Shoreline Master Program, takes affect and becomes law. Parties of record are notified and the 60-day appeal period begins. An appeal would be heard by the Western Washington Growth Management Hearings Board.