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ORDINANCE NO. 368

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING THE DEVELOPMENT CODE CHAPTER 20.40, ADDING TENT CITY TO THE USE TABLES AND REQUIRING THE APPLICANT TO HOLD A NEIGHBORHOOD MEETING PRIOR TO APPLICATION.

WHEREAS, the City adopted Shoreline Municipal Code Title 20, the Development Code, on June 12, 2000;

WHEREAS, the Shoreline Municipal Code Chapter 20.30.100 states "Any person may request that the City Council, Planning Commission, or Director initiate amendments to the text of the Development Code"; and

WHEREAS, the City received a complete application from a citizen to amend the Development Code to require public notice for Temporary Use Permit applications for Tent City homeless camps; and

WHEREAS, the proposed amendment was initiated by the Director; and

WHEREAS, the Planning Commission has developed an alternative recommendation to the proposed amendment that requires the applicant to hold a Neighborhood Meeting prior to application for Temporary Use Permit for Tent City; and

WHEREAS, a public participation process was conducted to develop and review amendments to the Development Code including:

- A public comment period on the proposed amendment was advertised from January 29, 2004 to February 13, 2004; and
- The Planning Commission held a Public Hearing and formulated its recommendation to Council to deny the proposed amendment on March 4, 2004.
- The Council held a meeting on June 7, 2004, continued to June 14, 2004, where it remanded the issue back to the Planning Commission for further consideration.
- The Planning Commission held an additional Public Hearing and formulated an alternative recommendation on the proposed amendment on October 21, 2004; and

WHEREAS, a SEPA Determination of Nonsignificance was issued on February 18, 2004 in reference to proposed amendments to the Development Code; and

WHEREAS, the proposed amendment was submitted to the State Department of Community Development for comment pursuant WAC 365-195-820; and

WHEREAS, the Council finds that the amendment adopted by this ordinance is consistent with and implements the Shoreline Comprehensive Plan and complies with the adoption requirements of the Growth Management Act, Chapter 36.70A. RCW; and

WHEREAS, the Council finds that the amendment adopted by this ordinance meets the criteria in Title 20 for adoption of amendments to the Development Code;

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NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Amendment. Shoreline Municipal Code Sections 20.40.120 and 20.40.535 are amended as set forth in Exhibit A, which is attached hereto and incorporated herein.

Section 2. New Section. A new section, 20.40.535 – Tent City, is added to the Shoreline Municipal Code to read as follows:

20.40.535 *Tent City*

A. Allowed only by temporary use permit.
B. Prior to application submittal, the applicant is required to hold a Neighborhood Meeting as set forth in SMC Section 20.30.090. A Neighborhood Meeting report will be required for submittal.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 4. Effective Date and Publication. A summary of this ordinance consisting of the title shall be published in the official newspaper and the ordinance shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON FEBRUARY 14, 2005.

Ronald B. Hansen
Mayor

ATTEST:

Sharon Mattioli, CMC
City Clerk

APPROVED AS TO FORM:

Ian Sievers
City Attorney

Date of Publication: February 17, 2005
Effective Date: February 22, 2005

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EXHIBIT A

20.40.120

Residential type uses

NAICS #	SPECIFIC LAND USE	R4-R6	R8-R12	R18-R48	NB & O	CB & NCBD	RB & I
RESIDENTIAL GENERAL							
	Accessory Dwelling Unit	P-i	P-i	P-i	P-i	P-i	P-i
	Affordable Housing	P-i	P-i	P-i	P-i	P-i	P-i
	Apartment		C	P	P	P	P
	Cottage Housing	C-i	P-i	P-i			
	Duplex	P-i	P-i	P-i	P-i		
	Home Occupation	P-i	P-i	P-i	P-i	P-i	P-i
	Manufactured Home	P-i	P-i	P-i			
	Mobile Home Park	P-i	P-i	P-i			
	Single-Family Attached	P-i	P	P	P		
	Single-Family Detached	P	P	C	C		
GROUP RESIDENCES							
	Boarding House	C-i	C-i	P-i	P-i	P-i	P-i
	Community Residential Facility-I (Less than 11 residents and staff)	C	C	P	P	P	P
	Community Residential Facility-II			P-i	P-i	P-i	P-i
721310	Dormitory		C-i	P-i	P-i	P-i	P-i
TEMPORARY LODGING							
721191	Bed and Breakfasts	P-i	P-i	P-i	P-i	P-i	P-i
72111	Hotel/Motel					P	P
	Recreational Vehicle	P-i	P-i	P-I	P-I	P-i	P-i
	Tent City	*P-i*	*P-i*	*P-i*	*P-i*	*P-i*	*P-i*
MISCELLANEOUS							
	Animals, Small, Keeping and Raising	P-i	P-i	P-i	P-i	P-i	P-i

P = Permitted Use S = Special Use
C = Conditional Use -i = Indexed Supplemental Criteria