



Shelton City Council
Meeting Agenda
July 6, 2021 at 6:00 p.m.
Civic Center

A. Call to Order

- Pledge of Allegiance
- Roll Call
- Late Changes to the Agenda

B. Council Reports

C. Consent Agenda (Action)

1. Voucher number 105086 in the amount of \$6,489.62
2. Vouchers numbered 105112 through 105162 in the total amount of \$110,166.52
3. Vouchers numbered 105167 through 105207 in the total amount of \$144,433.30
4. Vouchers numbered 105208 through 105277 in the total amount of \$629,896.23
5. Monthly Financial Status Report
6. LTAC Confirmation Letters

D. Presentations

1. Park & Recreation Proclamation

E. General Public Comment (3-minute time limit)

The City Council invites members of the public to provide comment on any topic at this time. Please sign in on the public comment sheet and keep an instruction card. If you would like to comment on a Business or Action item, please list the agenda item number on the list. City Councilmembers and City Staff will not enter into a dialogue during public comment. If the Council feels an issue requires follow up, Staff will be directed to respond at an appropriate time.

F. Business Agenda (Study/No Action/Public Comment Taken)

1. Park Street Overlay Project Award – Presented by Public Works Director Jay Harris

G. Action Agenda (Action/Public Comment Taken)

1. Ordinance No. 1971-0621 Shoreline Master Program Periodic Update – Presented by Senior Planner Jason Dose
2. LTAC Change of Venue – Presented by City Clerk Donna Nault

H. Administration Reports

1. City Manager Report

I. New Items for Discussion

J. Announcement of Next Meeting – July 20, 2021 at 6:00 p.m.

K. Adjourn

Special Note for Virtual Public Participation

The meeting can be viewed at: masonwebtv.com

The public can provide comments virtually by:

Email: donna.nault@sheltonwa.gov (before 5:00 p.m. the day of the meeting)

Telephone: (360) 810-0351

Your comments will be relayed directly to the Council.



2021 Looking Ahead

(Items and dates are subject to change)

Tues. 7/20 6:00 p.m.	Regular Meeting	<p>Consent Agenda</p> <ul style="list-style-type: none"> Vouchers/Payroll Warrants/Meeting Minutes May Financial Status Report <p>Presentations</p> <ul style="list-style-type: none"> 2nd Qtr LTAC Report – Chamber of Commerce <p>Business Agenda</p> <ul style="list-style-type: none"> Public Hearing Ordinance No. 1972-0621 Sewer Averaging for Summer Consumption Resolution No. 1203-0621 EM&R Roller Surplus Resolution No. 1204-0621 Storm Drainage Charges-Commercial Discount <p>Action Agenda</p> <ul style="list-style-type: none"> Resolution No. 1202-0621 Park Street Paving Project Award <p>Administration Report</p> <ul style="list-style-type: none"> Information to Council 	Packet Items Due: Fri. 7/9 – 5:00 p.m.
Tues. 8/3 6:00 p.m.	Regular Meeting	<p>Consent Agenda</p> <ul style="list-style-type: none"> Vouchers/Payroll Warrants/Meeting Minutes <p>Presentations</p> <ul style="list-style-type: none"> Water Comprehensive Plan Update <p>Business Agenda</p> <ul style="list-style-type: none"> Surplus Property Public Hearing Ord. No. 1973-0621 Updating SMC 8.08 MOU with Waste Connections – Updating Administrative Provisions <p>Action Agenda</p> <ul style="list-style-type: none"> Ordinance No. 1972-0621 Sewer Averaging for Summer Consumption Resolution No. 1203-0621 EM&R Roller Surplus Resolution No. 1204-0621 Storm Drainage Charges-Commercial Discount <p>Administration Report</p> <ul style="list-style-type: none"> 	Packet Items Due: Fri. 7/23 – 5:00 p.m.
Tues. 8/17 6:00 p.m.	Regular Meeting	<p>Consent Agenda</p> <ul style="list-style-type: none"> Vouchers/Payroll Warrants/Meeting Minutes June Financial Status Report <p>Presentations</p> <ul style="list-style-type: none"> Western Gateway Project Update Civic Center Parking Lot Project Update <p>Business Agenda</p>	Packet Items Due: 8/6 – 5:00 p.m.

		<ul style="list-style-type: none"> Public Hearing Ordinance No. 1963-1220 Franchise Agreement – PUD #3 Action Agenda <ul style="list-style-type: none"> Surplus Property Ord. No. 1973-0621 Updating SMC 8.08 MOU with Waste Connections – Updating Administrative Provisions Administration Report <ul style="list-style-type: none"> 	
Tues. 9/7 6:00 p.m.	Regular Meeting	Consent Agenda <ul style="list-style-type: none"> Vouchers/Payroll Warrants/Meeting Minutes Presentations <ul style="list-style-type: none"> Business Agenda <ul style="list-style-type: none"> Resolution No. 1186-1220 Surplus Computer Equipment Public Hearing Ordinance No. 1968-0321 Water Comp Plan Adoption Action Agenda <ul style="list-style-type: none"> Ordinance No. 1963-1220 Franchise Agreement – PUD #3 Administration Report <ul style="list-style-type: none"> 	Packet Items Due: 8/27 – 5:00 p.m.
Tues. 9/21 5:45 p.m.	SMPD Meeting	Consent Agenda <ul style="list-style-type: none"> Vouchers/Meeting Minutes Business Agenda <ul style="list-style-type: none"> Action Agenda <ul style="list-style-type: none"> Administration Report <ul style="list-style-type: none"> 	Packet Items Due: 9/10 – 5:00 p.m.
Tues. 9/21 6:00 p.m.	Regular Meeting	Consent Agenda <ul style="list-style-type: none"> Vouchers/Payroll Warrants/Meeting Minutes July Financial Status Report Presentations <ul style="list-style-type: none"> Business Agenda <ul style="list-style-type: none"> Action Agenda <ul style="list-style-type: none"> Resolution No. 1186-1220 Surplus Computer Equipment Ordinance No. 1968-0321 Water Comp Plan Adoption Administration Report <ul style="list-style-type: none"> 	Packet Items Due: 9/10 – 5:00 p.m.
Tues. 10/5 6:00 p.m.	Regular Meeting	Consent Agenda <ul style="list-style-type: none"> Vouchers/Payroll Warrants/Meeting Minutes Presentations <ul style="list-style-type: none"> Business Agenda <ul style="list-style-type: none"> LTAC Grant Recommendations 	Packet Items Due: 9/24 – 5:00 p.m.

		Action Agenda <ul style="list-style-type: none"> • Administration Report <ul style="list-style-type: none"> • 	
Tues. 10/19 6:00 p.m.	Regular Meeting	Consent Agenda <ul style="list-style-type: none"> • Vouchers/Payroll Warrants/Meeting Minutes • August Financial Status Report Presentations <ul style="list-style-type: none"> • Business Agenda <ul style="list-style-type: none"> • Action Agenda <ul style="list-style-type: none"> • LTAC Grant Recommendations Administration Report <ul style="list-style-type: none"> • 	Packet Items Due: 10/8 – 5:00 p.m.

Other – TBD

- UGA/Annexation Policy (Water/Sewer Extensions)
- Outside City Water/Sewer Extensions
- More Standing Committees by the Council
- December 7, 2021 – C Street Update

VOUCHER APPROVAL

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein vouchers numbered 105086 in the amount of \$6,489.62 that the claims are just, due and unpaid obligations against the City of Shelton, and that I am authorized to authenticate and certify said claims.

Signed this 7th of June, 2021.


for Director of Financial Services

We, the undersigned members of the City Council of Shelton, Washington, do hereby certify that the vouchers contained herein are approved for payment.

Signed this _____ of _____, 2021.

Mayor Kevin Dorey

Deputy Mayor Deidre Peterson

Councilmember James Boad

Councilmember Megan Fiess

Councilmember Kathy McDowell

Councilmember Eric Onisko

Councilmember Joe Schmit

VOUCHER APPROVAL

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein vouchers number 105112 through number 105162 in the total amount of \$110,166.52 that the claims are just, due and unpaid obligations against the City of Shelton, and that I am authorized to authenticate and certify said claims.

Signed this 9th of June, 2021.

Deidre Schmitz Accounting Manager
for Director of Financial Services

We, the undersigned members of the City Council of Shelton, Washington, do hereby certify that the vouchers contained herein are approved for payment.

Signed this _____ of _____, 2021.

Mayor Kevin Dorcy

Deputy Mayor Deidre Peterson

Councilmember James Boad

Councilmember Megan Fiess

Councilmember Kathy McDowell

Councilmember Eric Onisko

Councilmember Joe Schmit

VOUCHER APPROVAL

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein vouchers number 105167 through number 105207 in the total amount of \$144,433.30 that the claims are just, due and unpaid obligations against the City of Shelton, and that I am authorized to authenticate and certify said claims.

Signed this 18th of June, 2021.

Shirley Schmitz
for Accounting Manager
Director of Financial Services

We, the undersigned members of the City Council of Shelton, Washington, do hereby certify that the vouchers contained herein are approved for payment.

Signed this _____ of _____, 2021.

Mayor Kevin Dorcy

Deputy Mayor Deidre Peterson

Councilmember James Boad

Councilmember Megan Fiess

Councilmember Kathy McDowell

Councilmember Eric Onisko

Councilmember Joe Schmit

VOUCHER APPROVAL

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein vouchers number 105208 through number 105277 in the total amount of \$629,896.23 that the claims are just, due and unpaid obligations against the City of Shelton, and that I am authorized to authenticate and certify said claims.

Signed this 24th of June, 2021.

Deni Schmitz Accounting Manager
For Director of Financial Services

We, the undersigned members of the City Council of Shelton, Washington, do hereby certify that the vouchers contained herein are approved for payment.

Signed this _____ of _____, 2021.

Mayor Kevin Dorcy

Deputy Mayor Deidre Peterson

Councilmember James Boad

Councilmember Megan Fiess

Councilmember Kathy McDowell

Councilmember Eric Onisko

Councilmember Joe Schmit

April 2021 Monthly Financial Report

City of Shelton, Washington

General Fund Overview

	2021 Budget	2021 thru April	2021 Est Actual	Variance Favorable (Unfavorable)	% Variance Favorable (Unfavorable)
Revenues	12,283,920	3,986,408	12,624,490	340,570	2.8%
Expenditures	12,283,920	3,721,151	11,603,710	680,210	5.5%
Net Revenues Less Expenditures	-	265,256	1,020,780	1,020,780	
Beginning Fund Balance	4,853,568		4,853,568		
Ending Fund Balance	4,853,568		5,874,348		
<u>Ending Fund Balance Detail:</u>					
General Fund Reserves	4,853,568		5,874,348		
	39.5%		47.8%		

Summary

2021 estimated actuals are based on historical data, YTD activity, known adjustments and are not year-end actuals. 2020 amounts included in this report are unaudited.

Analysis through April shows an overall positive budget variance of \$1.0 million.

General Fund Reserves are estimated to end the year at \$5.9 million, or 47.8% of 2021 budgeted expenditures.

Revenue Overview

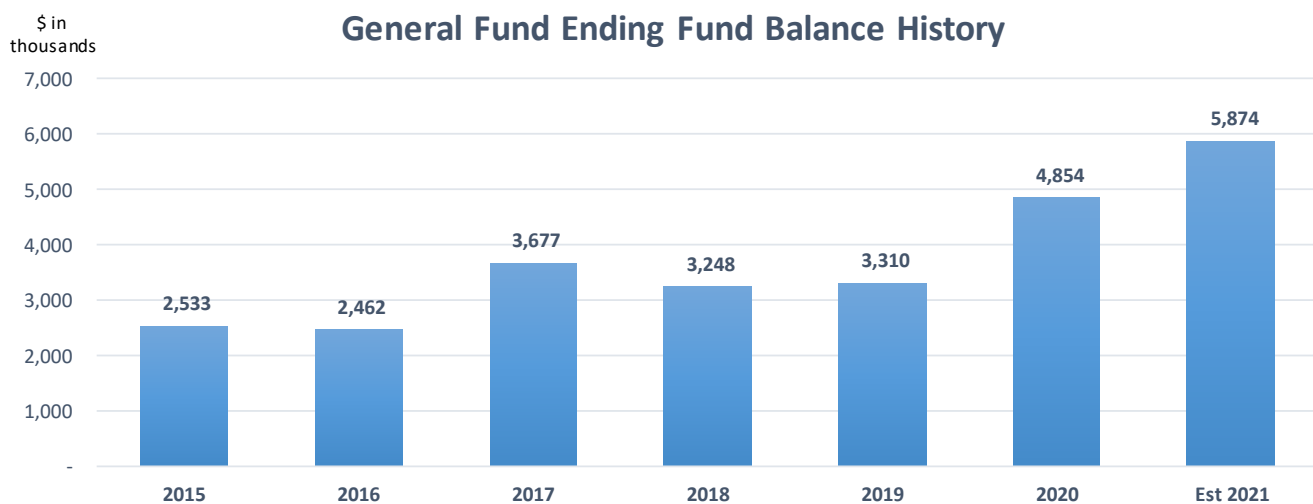
Revenues are currently estimated to end the year approximately \$341 thousand (2.8%) higher than budgeted, which is significantly due to sales tax and business and occupation taxes.

Expenditure Overview

Expenditures are currently estimated to end the year approximately \$680 thousand (5.5%) lower than budgeted.

Required Ending Fund Balance Calculation

Budgeted Expenditures for 2021 (from above)	12,283,920
	20.00%
20% GF Ending Fund Balance	2,456,784



April 2021 Monthly Financial Report

City of Shelton, Washington

General Fund Overview - Revenues

Revenue Categories	2021 Budget	2021 thru April	2021 Est Actual*	Variance Favorable (Unfavorable)	% Variance Favorable (Unfavorable)
Taxes:					
Property	2,486,070	412,109	2,486,070	-	0.0%
Sales & Use	2,867,240	1,070,958	3,212,870	345,630	12.1%
City Utility	1,127,000	392,895	1,178,690	51,690	4.6%
Non-City Utility	1,239,200	455,593	1,281,490	42,290	3.4%
Business & Occupation	733,640	403,898	835,130	101,490	13.8%
Other	35,220	13,696	32,230	(2,990)	-8.5%
Licenses & Permits	285,100	112,966	286,810	1,710	0.6%
Intergovernmental Revenue	423,520	213,980	495,510	71,990	17.0%
Charges for Goods/Services	2,818,140	833,455	2,594,070	(224,070)	-8.0%
Fines and Penalties	102,300	27,115	92,400	(9,900)	-9.7%
Miscellaneous Revenue	166,490	49,743	129,220	(37,270)	-22.4%
Total Revenues	12,283,920	3,986,408	12,624,490	340,570	2.8%

*2021 estimated actuals are based on historical data, YTD activity, known adjustments and are not year-end actuals.

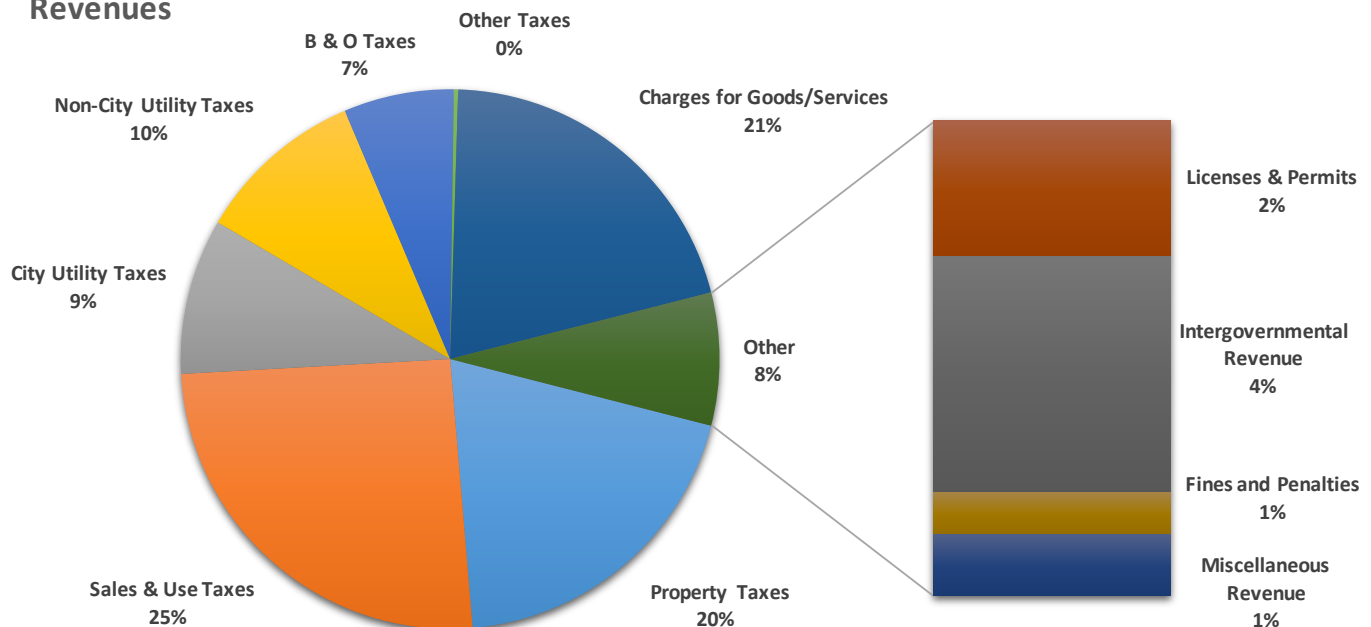
Variance analysis for revenues is provided for particular line items or those in which the estimated actual amount differs from the budgeted amount by at least 10% and \$75,000.

Variance Notes

Sales & Use Tax: Estimated to be \$345,630 or 12.1% over budget based on collections to date. The reason is that we budgeted sales tax in 2021 to match our 2020 COVID estimate which was low.

Business & Occupation Taxes: Estimated to be \$101,490 or 13.8% over budget.

2021 Estimated General Fund Revenues



April 2021 Monthly Financial Report

City of Shelton, Washington

General Fund Overview - Expenditures

Department	2021 Budget	2021 thru April	2021 Est Actual*	Variance Favorable (Unfavorable)	% Variance Favorable (Unfavorable)
Administrative Services					
Human Resources	276,180	80,777	272,040	4,140	1.5%
Information Technology	250,430	108,050	309,950	(59,520)	-23.8%
Risk Management	107,700	58,531	122,240	(14,540)	-13.5%
City Clerk	215,800	71,468	197,480	18,320	8.5%
City Council	104,840	34,355	100,110	4,730	4.5%
City Manager					
City Manager	405,840	135,144	402,560	3,280	0.8%
Legal	456,580	82,722	293,690	162,890	35.7%
Detentions/Corrections-Contract	414,170	95,098	328,990	85,180	20.6%
Community Dev, Parks, Facilities					
Civic Center Activities	69,190	20,267	58,070	11,120	16.1%
Community Development	568,130	187,886	536,770	31,360	5.5%
Facility Services	552,680	159,403	499,800	52,880	9.6%
Parks & Recreation	580,600	132,577	523,320	57,280	9.9%
Finance	1,050,800	409,123	1,043,440	7,360	0.7%
Fire & Emergency Services	1,507,280	511,176	1,516,790	(9,510)	-0.6%
Municipal Court	576,860	182,616	525,630	51,230	8.9%
Non-Departmental	1,016,290	9,350	788,510	227,780	22.4%
Police	3,489,990	1,240,168	3,473,290	16,700	0.5%
Public Works	640,560	202,441	611,030	29,530	4.6%
Total Expenditures	12,283,920	3,721,151	11,603,710	680,210	5.5%

*2021 estimated actuals are based on historical data, YTD activity, known adjustments and are not year-end actuals.

Variance analysis for expenditures is provided for particular departments which have an estimated actual amount that differs from the budgeted amount by at least 10% and \$75,000.

Variance Notes

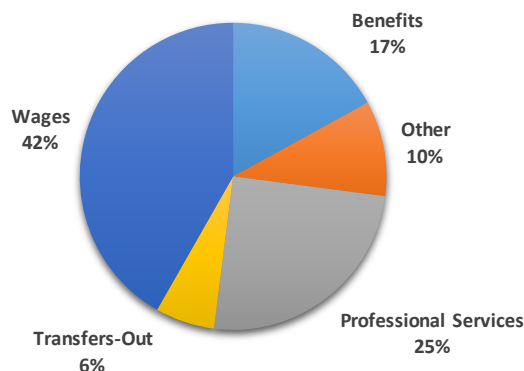
Property & liability insurance: Over budget by \$94,450 in general fund causing/adding to negative results.

Legal: Legal counsel and prosecutor expenditures estimated to be below budget.

Detention/Corrections: Mason County Jail fees estimated to be below budget.

Non-Departmental: Current estimate does not include a transfer-out to firefighter's pension fund in 2021 of \$121,220 and the transfer-out estimate to payroll benefits fund is \$106,560 lower than budget.

2021 Estimated General Fund Expenditures



April 2021 Monthly Financial Report

City of Shelton, Washington

General Fund Year-to-Year

	2019 Actual	2020 Actual	2021 Budget	2021 thru April	2021 Est Actual
Beginning Fund Balance	3,244,744	3,295,980	4,853,568	4,853,568	4,853,568
Revenues					
Taxes:					
Property	2,394,874	2,495,035	2,486,070	412,109	2,486,070
Sales & Use	3,359,505	3,195,310	2,867,240	1,070,958	3,212,870
City Utility	797,785	1,182,935	1,127,000	392,895	1,178,690
Non-City Utility	1,120,002	1,138,999	1,239,200	455,593	1,281,490
Business & Occupation	738,850	810,806	733,640	403,898	835,130
Other	51,763	42,140	35,220	13,696	32,230
Licenses & Permits	355,352	344,354	285,100	112,966	286,810
Intergovernmental Revenue	741,394	1,181,568	423,520	213,980	495,510
Charges for Goods/Services	2,881,716	2,968,830	2,818,140	833,455	2,594,070
Fines and Penalties	121,146	85,070	102,300	27,115	92,400
Miscellaneous Revenue	283,785	281,387	166,490	49,743	129,220
Total Revenues	12,846,171	13,726,434	12,283,920	3,986,408	12,624,490
Expenditures					
Administrative Services					
Human Resources	244,553	259,988	276,180	80,777	272,040
Information Technology	234,709	811,857	250,430	108,050	309,950
Risk Management	189,897	95,234	107,700	58,531	122,240
City Clerk+	37,837	69,707	215,800	71,468	197,480
City Council	231,757	161,137	104,840	34,355	100,110
City Manager					
City Manager	381,449	429,282	405,840	135,144	402,560
Legal	392,309	315,307	456,580	82,722	293,690
Detentions/Corrections-Contract	365,356	331,015	414,170	95,098	328,990
Community Dev, Parks, Facilities					
Civic Center Activities	47,014	44,892	69,190	20,267	58,070
Community Development	523,664	551,607	568,130	187,886	536,770
Facility Services	563,586	516,129	552,680	159,403	499,800
Parks & Recreation	410,472	376,383	580,600	132,577	523,320
Finance	933,224	939,517	1,050,800	409,123	1,043,440
Fire & Emergency Services	1,447,313	1,626,514	1,507,280	511,176	1,516,790
Municipal Court	462,291	498,380	576,860	182,616	525,630
Non-Departmental	2,519,557	1,019,695	1,016,290	9,350	788,510
Police	3,072,032	3,451,151	3,489,990	1,240,168	3,473,290
Public Works	737,915	671,052	640,560	202,441	611,030
Total Expenditures	12,794,935	12,168,845	12,283,920	3,721,151	11,603,710
+ City Clerk reflects all City Clerk expenses starting in 2021. Prior years included records, elections and code revision costs.					
Net Revenues less Expenditures	51,236	1,557,589	-	265,256	1,020,780
Ending Fund Balance	3,295,980	4,853,568	4,853,568	5,118,824	5,874,348
General Fund Reserves	3,295,980	4,853,568	4,853,568		5,874,348
based on same year actuals/budget	25.8%	39.9%	39.5%		50.6%

April 2021 Monthly Financial Report

City of Shelton, Washington

General Fund Month-to-Month

	2019 thru April	2020 thru April	2021 thru April	2021 - 2020 Variance		% of Budget
Revenues						
Taxes:						
Property	418,131	313,457	412,109	98,652	31.5%	16.6%
Sales & Use	1,035,408	1,043,884	1,070,958	27,074	2.6%	37.4%
City Utility	195,196	382,110	392,895	10,785	2.8%	34.9%
Non-City Utility	437,547	456,417	455,593	(824)	-0.2%	36.8%
Business & Occupation	287,054	321,768	403,898	82,130	25.5%	55.1%
Other	18,088	15,446	13,696	(1,750)	-11.3%	38.9%
Licenses & Permits	140,301	102,258	112,966	10,708	10.5%	39.6%
Intergovernmental Revenue	175,902	247,715	213,980	(33,735)	-13.6%	50.5%
Charges for Goods/Services	928,291	959,170	833,455	(125,715)	-13.1%	29.6%
Fines and Penalties	38,427	25,407	27,115	1,709	6.7%	26.5%
Miscellaneous Revenue	76,845	119,375	49,743	(69,632)	-58.3%	29.9%
Total Revenues	3,751,190	3,987,006	3,986,408	(599)	0.0%	32.5%
Expenditures						
Administrative Services						
Human Resources	59,423	97,022	80,777	(16,245)	-16.7%	29.2%
Information Technology	75,874	88,118	108,050	19,933	22.6%	43.1%
Risk Management	144,782	60,515	58,531	(1,984)	-3.3%	54.3%
City Clerk+	9,310	36,238	71,468	35,231	97.2%	33.1%
City Council	80,500	60,880	34,355	(26,525)	-43.6%	32.8%
City Manager						
City Manager	141,806	137,621	135,144	(2,477)	-1.8%	33.3%
Legal	86,232	120,574	82,722	(37,853)	-31.4%	18.1%
Detentions/Corrections-Contract	103,751	108,225	95,098	(13,128)	-12.1%	23.0%
Community Dev, Parks, Facilities						
Civic Center Activities	15,641	16,157	20,267	4,110	25.4%	29.3%
Community Development	168,670	192,638	187,886	(4,753)	-2.5%	33.1%
Facility Services	156,546	200,823	159,403	(41,420)	-20.6%	28.8%
Parks & Recreation	90,321	111,824	132,577	20,753	18.6%	22.8%
Finance	293,311	323,635	409,123	85,489	26.4%	38.9%
Fire & Emergency Services	480,738	593,707	511,176	(82,531)	-13.9%	33.9%
Municipal Court	139,623	169,214	182,616	13,403	7.9%	31.7%
Non-Departmental	946,221	200,745	9,350	(191,395)	-95.3%	0.9%
Police	991,732	1,234,664	1,240,168	5,505	0.4%	35.5%
Public Works	223,613	243,319	202,441	(40,878)	-16.8%	31.6%
Total Expenditures	4,208,094	3,995,919	3,721,151	(274,768)	-6.9%	30.3%

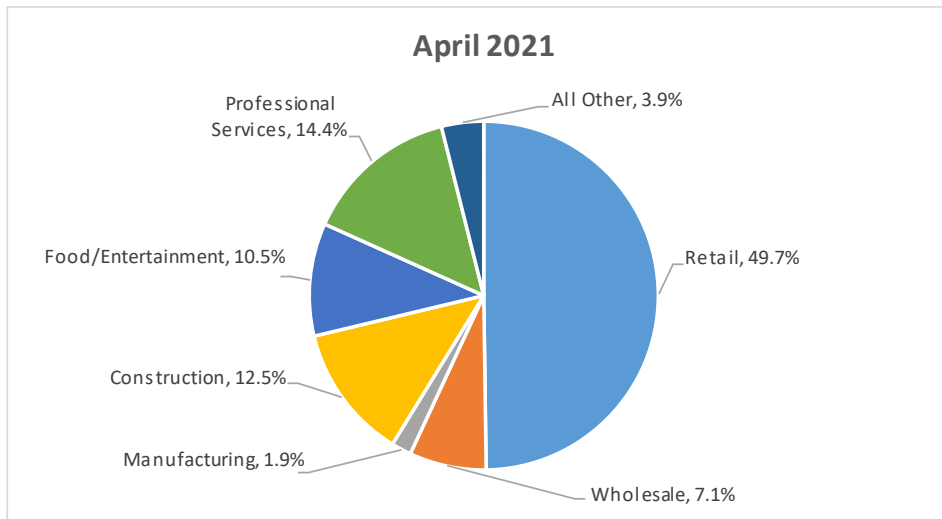
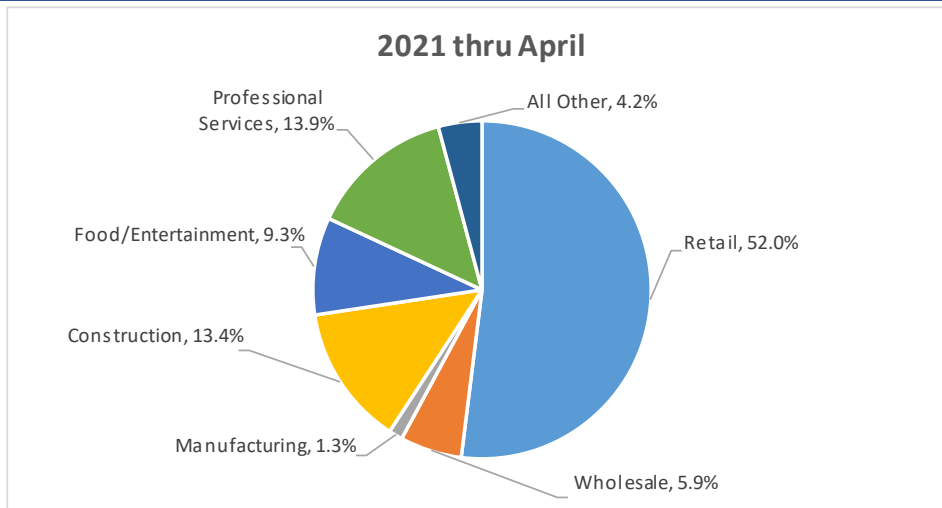
+ City Clerk reflects all City Clerk expenses starting in 2021. Prior years included records, elections and code revision costs.

This Month-to-Month presentation does not include variance notes. Common variances are due to timing of receipts and expenditures. Totals reported are year-to-date through April which is 33.3% of the year.

April 2021 Monthly Financial Report

City of Shelton, Washington

Sales Tax Breakdown by Type



Fund Balances

Fund	2021 Beginning Fund Balance	2021 Estimated Revenue	2021 Estimated Expenditure	2021 Estimated Fund Balance	\$ Change	% Change
City-wide Fund Balances						
General Fund	4,853,568	12,624,490	11,603,710	5,874,348	1,020,780	21.0%
Street Fund	1,005,320	1,436,230	2,061,880	379,670	(625,650)	-62.2%
Capital Resources Fund	1,158,486	146,110	496,630	807,966	(350,520)	-30.3%
Tourism Fund	93,406	39,890	61,880	71,416	(21,990)	-23.5%
Bond Fund	7,420	184,590	184,490	7,520	100	1.3%
Capital Improvement Fund	433,300	1,572,140	1,572,140	433,300	-	0.0%
Water Fund	2,459,274	2,277,280	3,577,860	1,158,694	(1,300,580)	-52.9%
Sewer Fund	4,557,689	6,299,050	7,779,260	3,077,479	(1,480,210)	-32.5%
Solid Waste Fund	1,017,457	450,960	781,810	686,607	(330,850)	-32.5%
Storm Drainage Fund	380,739	938,720	980,140	339,319	(41,420)	-10.9%
Payroll Benefits Fund	147,891	100,710	95,900	152,701	4,810	3.3%
Equipment Rental Fund	763,950	581,490	861,230	484,210	(279,740)	-36.6%
Firefighters Fund	539,841	10,140	82,910	467,071	(72,770)	-13.5%
Library Endowment Fund	121,570	790	-	122,360	790	0.6%
City-wide Fund Totals	17,539,911	26,662,590	30,139,840	14,062,661	(3,477,250)	-19.8%

April 2021 Monthly Financial Report

City of Shelton, Washington

City-Wide Overview - Revenues & Expenditures

Fund	2021 Budget	2021 thru April	2021 Est Actual*	Variance Favorable (Unfavorable)	% Variance Favorable (Unfavorable)
General Fund					
Taxes	8,488,370	2,749,149	9,026,480	538,110	6.3%
Licenses & Permits	285,100	112,966	286,810	1,710	0.6%
Intergovernmental Revenue	423,520	213,980	495,510	71,990	17.0%
Charges for Goods/Services	2,818,140	833,455	2,594,070	(224,070)	-8.0%
Fines and Penalties	102,300	27,115	92,400	(9,900)	-9.7%
Miscellaneous Revenue	166,490	49,743	129,220	(37,270)	-22.4%
Total Revenues	12,283,920	3,986,408	12,624,490	340,570	2.8%
Wages	4,915,360	1,600,492	4,844,480	70,880	1.4%
Benefits	2,160,890	656,077	1,974,230	186,660	8.6%
Professional Services	2,976,430	922,417	2,892,850	83,580	2.8%
Transfers-Out	953,780	9,110	726,000	227,780	23.9%
Other	1,277,460	533,055	1,166,150	111,310	8.7%
Total Expenditures	12,283,920	3,721,151	11,603,710	680,210	5.5%
Net Revenues Less Expenditures	-	265,256	1,020,780	1,020,780	

General Fund Notes

Expenditures: Current estimate does not include a transfer-out to firefighter's pension fund in 2021 of \$121,220 and the transfer out estimate to payroll benefits fund is \$106,560 lower than budget.

Street Fund					
Taxes	582,520	219,133	657,400	74,880	12.9%
Licenses & Permits	6,000	890	2,670	(3,330)	-55.5%
Intergovernmental Revenue	213,000	60,133	183,880	(29,120)	-13.7%
Charges for Goods/Services	53,000	19,816	59,450	6,450	12.2%
Miscellaneous Revenue	12,000	278	830	(11,170)	-93.1%
Transfers In	532,000	-	532,000	-	0.0%
Total Revenues	1,398,520	300,250	1,436,230	37,710	2.7%
Wages	324,360	130,798	392,400	(68,040)	-21.0%
Benefits	160,820	61,553	184,670	(23,850)	-14.8%
Professional Services	52,960	6,325	34,840	18,120	34.2%
Transfers-Out	692,240	-	692,240	-	0.0%
Other	800,810	285,596	757,730	43,080	5.4%
Total Expenditures	2,031,190	484,272	2,061,880	(30,690)	-1.5%
Net Revenues Less Expenditures	(632,670)	(184,022)	(625,650)	7,020	-1.1%

Capital Resources Fund					
Taxes	100,000	50,854	105,000	5,000	5.0%
Charges for Goods/Services	40,000	36,460	40,000	-	0.0%
Miscellaneous Revenue	-	370	1,110	1,110	
Total Revenues	140,000	87,684	146,110	6,110	4.4%
Transfers-Out	496,630	-	496,630	-	0.0%
Total Expenditures	496,630	-	496,630	-	0.0%
Net Revenues Less Expenditures	(356,630)	87,684	(350,520)	6,110	-1.7%

*2021 estimated actuals are based on historical data, YTD activity, known adjustments and are not year-end actuals.

April 2021 Monthly Financial Report

City of Shelton, Washington

City-Wide Overview - Revenues & Expenditures

Fund	2021 Budget	2021 thru April	2021 Est Actual*	Variance Favorable (Unfavorable)	% Variance Favorable (Unfavorable)
Tourism Fund					
Taxes	36,000	13,271	39,810	3,810	10.6%
Miscellaneous Revenue	1,700	28	80	(1,620)	-95.3%
Total Revenues	37,700	13,299	39,890	2,190	5.8%
Professional Services	61,880	20,455	61,880	-	0.0%
Total Expenditures	61,880	20,455	61,880	-	0.0%
Net Revenues Less Expenditures	(24,180)	(7,156)	(21,990)	2,190	-9.1%
Bond Fund					
Taxes	-	98	100	100	
Transfers In	184,490	-	184,490	-	0.0%
Total Revenues	184,490	98	184,590	100	0.1%
Other	184,490	-	184,490	-	0.0%
Total Expenditures	184,490	-	184,490	-	0.0%
Net Revenues Less Expenditures	-	98	100	100	
Capital Improvement Fund					
Intergovernmental Revenue	200,000	-	200,000	-	0.0%
Charges for Goods/Services	232,000	-	232,000	-	0.0%
Transfers In	1,140,140	-	1,140,140	-	0.0%
Total Revenues	1,572,140	-	1,572,140	-	0.0%
Professional Services	-	6,306	18,920	(18,920)	
Other	1,572,140	13,006	1,553,220	18,920	1.2%
Total Expenditures	1,572,140	19,312	1,572,140	-	0.0%
Net Revenues Less Expenditures	-	(19,312)	-	-	
Water Fund					
Intergovernmental Revenue	-	2,055	2,050	2,050	
Charges for Goods/Services	2,487,440	740,488	2,221,450	(265,990)	-10.7%
Miscellaneous Revenue	87,790	15,963	53,780	(34,010)	-38.7%
Total Revenues	2,575,230	758,506	2,277,280	(297,950)	-11.6%
Wages	562,980	128,944	386,830	176,150	31.3%
Benefits	291,090	54,091	162,280	128,810	44.3%
Professional Services	113,380	34,915	129,030	(15,650)	-13.8%
Inventory	-	7,316	21,950	(21,950)	
Other	2,914,610	426,057	2,877,770	36,840	1.3%
Total Expenditures	3,882,060	651,323	3,577,860	304,200	7.8%
Net Revenues Less Expenditures	(1,306,830)	107,184	(1,300,580)	6,250	-0.5%

*2021 estimated actuals are based on historical data, YTD activity, known adjustments and are not year-end actuals.

April 2021 Monthly Financial Report

City of Shelton, Washington

City-Wide Overview - Revenues & Expenditures

Fund	2021 Budget	2021 thru April	2021 Est Actual*	Variance Favorable (Unfavorable)	% Variance Favorable (Unfavorable)
Sewer Fund					
Intergovernmental Revenue	-	6,352	19,060	19,060	
Charges for Goods/Services	5,996,890	2,129,306	6,054,410	57,520	1.0%
Miscellaneous Revenue	175,000	151,786	225,580	50,580	28.9%
Total Revenues	6,171,890	2,287,444	6,299,050	127,160	2.1%
Wages	730,980	208,419	625,240	105,740	14.5%
Benefits	386,450	91,954	275,840	110,610	28.6%
Professional Services	439,430	113,473	507,820	(68,390)	-15.6%
Other	6,292,530	1,276,748	6,370,360	(77,830)	-1.2%
Total Expenditures	7,849,390	1,690,593	7,779,260	70,130	0.9%
Net Revenues Less Expenditures	(1,677,500)	596,851	(1,480,210)	197,290	-11.8%
Solid Waste Fund					
Intergovernmental Revenue	450,000	11,251	450,000	-	0.0%
Miscellaneous Revenue	-	319	960	960	
Total Revenues	450,000	11,570	450,960	960	0.2%
Professional Services	331,810	7,805	331,810	-	0.0%
Other	450,000	-	450,000	-	0.0%
Total Expenditures	781,810	7,805	781,810	-	0.0%
Net Revenues Less Expenditures	(331,810)	3,765	(330,850)	960	-0.3%
Storm Drainage Fund					
Intergovernmental Revenue	25,000	40,366	75,830	50,830	203.3%
Charges for Goods/Services	960,000	256,205	862,540	(97,460)	-10.2%
Miscellaneous Revenue	4,000	116	350	(3,650)	-91.3%
Total Revenues	989,000	296,687	938,720	(50,280)	-5.1%
Wages	460,840	73,471	220,410	240,430	52.2%
Benefits	213,560	34,618	103,860	109,700	51.4%
Professional Services	114,900	35,870	120,140	(5,240)	-4.6%
Other	549,460	154,580	535,730	13,730	2.5%
Total Expenditures	1,338,760	298,540	980,140	358,620	26.8%
Net Revenues Less Expenditures	(349,760)	(1,853)	(41,420)	308,340	-88.2%

Storm Drainage Fund Notes

Expenditures: Currently wages and benefits are esimated to be less than 50% of budget.

*2021 estimated actuals are based on historical data, YTD activity, known adjustments and are not year-end actuals.

April 2021 Monthly Financial Report

City of Shelton, Washington

City-Wide Overview - Revenues & Expenditures

Fund	2021 Budget	2021 thru April	2021 Est Actual*	Variance Favorable (Unfavorable)	% Variance Favorable (Unfavorable)
Payroll Benefits Fund					
Charges for Goods/Services	40,000	14,028	42,080	2,080	5.2%
Miscellaneous Revenue	1,900	130	390	(1,510)	-79.5%
Transfers In	164,800	9,110	58,240	(106,560)	-64.7%
Total Revenues	206,700	23,268	100,710	(105,990)	-51.3%
Benefits	206,700	14,999	95,900	110,800	53.6%
Total Expenditures	206,700	14,999	95,900	110,800	53.6%
Net Revenues Less Expenditures	-	8,270	4,810	4,810	

Payroll Benefits Fund Notes

Revenues & Expenditures: Estimated expenditures for benefits have decreased and transfers in are adjusted accordingly.

Equipment Maint & Rental Fund					
Charges for Goods/Services	685,000	190,367	571,100	(113,900)	-16.6%
Miscellaneous Revenue	7,000	3,463	10,390	3,390	48.4%
Total Revenues	692,000	193,830	581,490	(110,510)	-16.0%
Wages	93,960	30,514	91,540	2,420	2.6%
Benefits	49,310	15,764	47,290	2,020	4.1%
Professional Services	8,340	191	580	7,760	93.0%
Inventory	-	(11,555)	-	-	
Other	780,400	110,313	721,820	58,580	7.5%
Total Expenditures	932,010	145,227	861,230	70,780	7.6%
Net Revenues Less Expenditures	(240,010)	48,603	(279,740)	(39,730)	16.6%

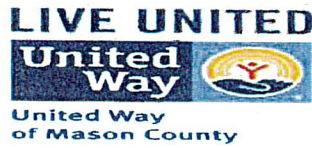
Firefighter's Pension Fund					
Taxes	100	-	-	(100)	-100.0%
Intergovernmental Revenue	9,650	-	9,650	-	0.0%
Miscellaneous Revenue	8,000	164	490	(7,510)	-93.9%
Transfers In	121,220	-	-	(121,220)	-100.0%
Total Revenues	138,970	164	10,140	(128,830)	-92.7%
Benefits	93,570	22,620	82,910	10,660	11.4%
Professional Services	5,000	-	-	5,000	100.0%
Total Expenditures	98,570	22,620	82,910	15,660	15.9%
Net Revenues Less Expenditures	40,400	(22,456)	(72,770)	(113,170)	-280.1%

Firefighters Pension Fund Notes

Revenues: Current estimate does not include a transfer-in from general fund in 2021.

Library Endowment Fund					
Miscellaneous Revenue	2,700	263	790	(1,910)	-70.7%
Total Revenues	2,700	263	790	(1,910)	-70.7%
Total Expenditures	-	-	-	-	
Net Revenues Less Expenditures	2,700	263	790	(1,910)	-70.7%

*2021 estimated actuals are based on historical data, YTD activity, known adjustments and are not year-end actuals.



Ted Jackson
Executive Director United Way of Mason County
536 W Railroad Ave
Shelton, WA 98584

June 21, 2021

Ms. Kary Holloway
Lodging Tax Advisory Secretary
525 W Cota St
Shelton, WA 98584

Ms. Holloway,

I am writing to express my interest in serving on the Shelton Lodging Tax Advisory Committee. I was advised of a vacancy by Shelton City Manager Jeff Niten.

I am currently the executive director of a non-profit organization in Mason County, prior to my current employment, I served over 34 years in law enforcement my last two years I served as an assistant and interim police chief. I am also a Port of Allyn Commissioner.

I am a very detail oriented; I am an attentive listener, and I strive everyday to make a positive impact on our Mason County Community.

I will provide you with a resume if you request.

Sincerely,

Ted Jackson

tjackson@uwmason.org

360 801 0503/ 360 763 3610

Kary Holloway

From: Duane Wilson <duanelwilson@gmail.com>
Sent: Friday, April 02, 2021 7:30 PM
To: Kary Holloway
Subject: Re: LTAC Renewal Letter of Interest

Follow Up Flag: Follow up
Flag Status: Completed



I'd love to serve again. I know I look at things a little differently than the other members but a little balance usually doesn't hurt. Let me know if I need to reapply.

Duane

On Fri, Apr 2, 2021 at 12:09 PM Kary Holloway <kholloway@ci.shelton.wa.us> wrote:

>
> Hi gentlemen,
>
>
>
> It's that time of year to check-in and ask if you are planning to continue to serve on the LTAC this year. Please let me know as soon as possible. Thank you.
>
>
>
> Kindest Regards,
>
>
>
> Kary Holloway
>
> Administrative Support Assistant
>
> LTAC Secretary
>
> City of Shelton
>
>
>
> Due to Governor Inslee's recent enactment of restrictions pertaining to COVID-19, I am working remotely. My regular work schedule is Monday-Thursday, 6:00 a.m. to 5:00 p.m. Please feel free to contact me anytime by email.
>
>
>
> The City of Shelton is subject to the Washington Public Records Act, Chapter 42.56 RCW. This message and any attachments may constitute records subject to public disclosure pursuant to the Act.

Kary Holloway

Shelton Inn

From: Shelton Inn <sheltoninn@hotmail.com>
Sent: Monday, June 14, 2021 3:04 PM
To: Kary Holloway
Subject: Re: Lodging Tax

Yes

Get [Outlook for Android](#)

From: Kary Holloway <kary.holloway@sheltonwa.gov>
Sent: Monday, June 14, 2021 2:57:23 PM
To: sheltoninn@hotmail.com <sheltoninn@hotmail.com>
Subject: Lodging Tax

Good afternoon,

I will need a confirmation from you to serve on the City of Shelton's Lodging Tax Advisory Committee. Please email me by clicking reply and state "yes" to continue or "no" to decline. Thank you.

Kindest Regards,

Kary Holloway
Administrative Support Assistant
Special Events Coordinator
LTAC Secretary
City of Shelton - 360.432.5131
My regular work schedule is Monday-Thursday, 6:00 a.m.- 5:00 p.m.

The City of Shelton is subject to the Washington Public Records Act, Chapter 42.56 RCW. This message and any attachments may constitute records subject to public disclosure pursuant to the Act.

Kary Holloway

Motel 8

From: Space Kim <spacekim123@yahoo.com>
Sent: Thursday, June 17, 2021 1:19 PM
To: Kary Holloway
Subject: Re: Lodging Tax

Yes

On Thursday, June 17, 2021, 01:09:33 PM PDT, Kary Holloway <kary.holloway@sheltonwa.gov> wrote:

Kindest Regards,

Kary Holloway

Administrative Support Assistant

Special Events Coordinator

LTAC Secretary

City of Shelton - 360.432.5131

My regular work schedule is Monday-Thursday, 6:00 a.m.- 5:00 p.m.

From: Kary Holloway
Sent: Monday, June 14, 2021 2:56 PM
To: 'spacekim123@yahoo.com' <spacekim123@yahoo.com>
Subject: Lodging Tax
Importance: High

Good afternoon,

I will need a confirmation from you to serve on the City of Shelton's Lodging Tax Advisory Committee. Please email me by clicking reply indicating "yes" to continue or "no" to decline. Thank you.

Kindest Regards,



Designation of July as Park and Recreation Month

WHEREAS, parks and recreation programs are an integral part of communities throughout this country, including the City of Shelton; and

WHEREAS, our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

WHEREAS, parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and also improve the mental and emotional health of all citizens; and

WHEREAS, parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS, parks and recreation areas are fundamental to the environmental well-being of our community; and

WHEREAS, parks and natural recreation areas improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and

WHEREAS, our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS, the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS, the City of Shelton recognizes the benefits derived from parks and recreation resources

NOW THEREFORE, BE IT RESOLVED BY the Shelton City Council that July be recognized as Park and Recreation Month in the City of Shelton.

ADOPTED by the Shelton City Council on this 6th day of July 2021.

Mayor Dorcy



CITY OF SHELTON COUNCIL BRIEFING REQUEST (Agenda Item F1)

Touch Date: 06/07/2021
Brief Date: 07/06/2021
Action Date: 07/20/2021

Department: Public Works
Presented By: Jay Harris

APPROVED FOR COUNCIL PACKET:

Action Requested:

ROUTE TO:

REVIEWED:

PROGRAM/PROJECT TITLE:
Park Street Overlay Project Award

☐ Ordinance

☒ Dept. Head

☐ Finance Director

☐ Attorney

☒ City Clerk

☐ City Manager

ATTACHMENTS:
- Invitation to Bid
- Map with Location

☐ Resolution

☒ Motion

☐ Other

DESCRIPTION OF THE PROGRAM/PROJECT AND BACKGROUND INFORMATION:

There are areas throughout our city with pavement surfaces that require maintenance; the majority of these streets will not qualify for any type of grant or funding outside of normal city funds. With the assistance of the pavement condition index rating system, Staff has been able to identify areas in the City that have the highest need of maintenance. Park Street has been identified as having a high need of pavement maintenance due to the amount of trucks carrying heavy loads that have been utilizing the roadway. The attached map shows the location proposed for paving as dashed blue lines. Using the Municipal Research and Services Center (MRSC) Small Works Roster, an Invitation to Bid (ITB) was distributed on June 7, 2021, with a response deadline of June 23, 2021.

Although the bid opening had not yet occurred as of the writing of this briefing, Staff has brought forth the ITB that was distributed, as well as a map with the street location of the proposed paving. By the time of this Council meeting, Staff will be able to identify an apparent low-bidder, with specific contract amounts and a recommendation of award to be brought forward on the action agenda at the next Council meeting.

ANALYSIS/OPTIONS/ALTERNATIVES:

N/A

BUDGET/FISCAL INFORMATION:

The adopted 2021 budget allows \$540,000 for street maintenance activities. Award of the 2021 Chip Seal Project utilized \$137,885 of the budgeted amount, allowing the remaining \$402,115 to be expended on construction of the Park Street Overlay Project, and engineering and project management services for both projects.

PUBLIC INFORMATION REQUIREMENTS:

Information can be obtained from the Public Works Department.

STAFF RECOMMENDATION/MOTION:

Staff recommends: "I move that this item, with the addition of the awarding resolution, be forwarded to the action agenda of the July 20th Council meeting for further consideration".

INVITATION TO BID
CITY OF SHELTON
PARK STREET OVERLAY
Project Estimate: \$290,000 to \$320,000

The City of Shelton is releasing a Small Works Project. As a Contractor on the City of Shelton MRSC Small Works Roster for “Asphalt Pavement Roadways/Asphalt Pavement Minor Repairs”, you are invited to submit a bid on this project.

Scope of Work: This Contract provides for the asphalt overlay of Park Street from South 7th Street to South 1st Street. This project will include planing the roadway at the transitions ends and adjustment of the existing utility structures. Other items of work included with this project are erosion control, signing, striping, traffic control and other related items of work.

The Contractor will have thirty (30) working days, to complete the work in compliance with all applicable laws and regulations.

Solicitation Documents: The complete bid packet can be downloaded from the City of Shelton Website on the Public Works Bid Opportunities page at https://www.sheltonwa.gov/business_development/rfp_and_bid_opportunities.php Any release of addenda, question and answers, or updates related to this ITB will be posted to the City Website. It is the responsibility of the bidder to frequently monitor this site for any updates regarding this solicitation.

Delivery of Proposal: City of Shelton, 525 W Cota Street, Shelton, WA 98584
All proposals must be clearly marked on the outside “**Park Street Overlay**”.

Bid Date: Wednesday, June 23, 2021 at 2:00 p.m.

Bidders must be registered on the City of Shelton MRSC Small Works Roster at the time of bid deadline, to be eligible to submit a bid for this project. Bids received after the date and time specified above will be rejected and considered non-responsive.

Prebid Conference: A Prebid Conference is scheduled for 10:00 a.m. Thursday, June 10, 2021. The conference will begin at the intersection of South 7th and Park Street, Shelton, Washington at 10:00 a.m. (local time). Prospective bidders are encouraged to participate.

Questions and requests for clarification of the contract documents may be submitted in writing by **2:00 p.m., Pacific Time, June 16, 2021, to Brooke Kilts, Public Works Administrative Manager, via email to brooke.kilts@sheltonwa.gov**. In your email subject line, reference the procurement title. It is preferred that all questions be in the body of the email rather than in an attachment. No further questions will be accepted after this date and time. The City will not be

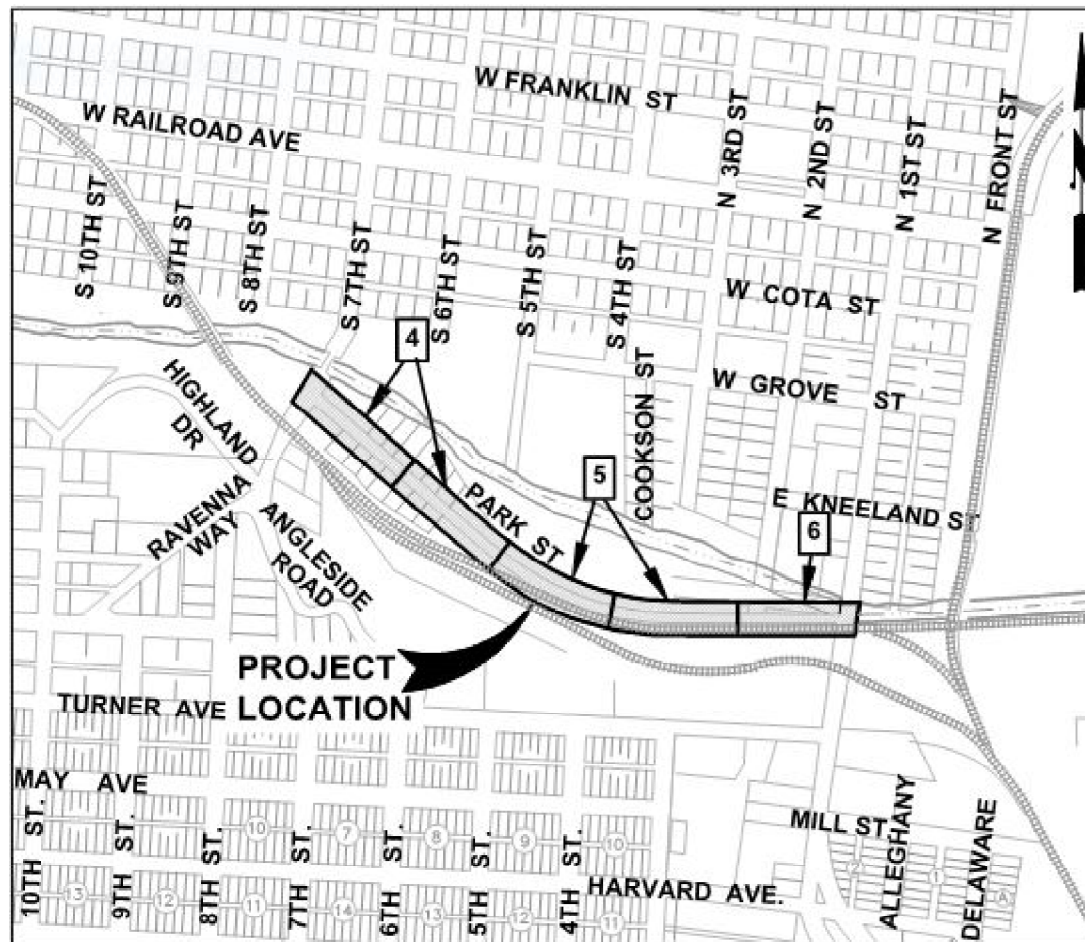
responsible for unsuccessful submittal of questions. No oral responses to questions by City personnel about the project will be binding on the City.

Written answers to all questions submitted will be emailed to the Contractors on the City of Shelton's MRSC Small Works Roster for "Asphalt Pavement Roadways/Asphalt Pavement Minor Repairs", by 5:00 p.m. June 17, 2021. The City reserves the discretion to group similar questions to provide a single answer or not to respond when the requested information is confidential. The answers are not typically considered an addendum.

The City of Shelton, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 26 will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, or sex in consideration for an award

Discrimination is prohibited. Each Bidder, contractor, or subcontractor (hereinafter the Contractor) shall not discriminate against any employee, applicant for employment, or any person seeking the services of the Contractor, on the basis of race, color, religion, creed, sex, age, national origin, marital status, or presence of any sensory, mental, or physical handicap, or any other legally protected status.

The City of Shelton reserves to waive informalities in the bidding, accept a proposal of the lowest responsible bidder, reject any or all bids, revise or cancel the work, or require the work to be done in another way if the best interest of the City is served.



LOCATION MAP

SCALE: 1" = 400'



**CITY OF SHELTON
COUNCIL BRIEFING REQUEST
(Agenda Item G1)**

Touch Date: 06/02/2021
Public Hearing Date: 06/15/2021
Action Date: 07/06/2021

Department: Community Development
Presented By: Jason Dose

APPROVED FOR COUNCIL PACKET:

Action Requested:

ROUTE TO:

REVIEWED:

- ☒ Dept. Head
☐ Finance Director
☐ Attorney
☒ City Clerk
☐ City Manager

PROGRAM/PROJECT TITLE:
Public Hearing - Shoreline Master
Program Periodic Review
ATTACHMENTS:
Ordinance No. 1971-0621

- ☒ Ordinance
☐ Resolution
☒ Motion
☐ Other

DESCRIPTION OF THE PROGRAM/PROJECT AND BACKGROUND INFORMATION:

In 1971, the Washington State Legislature enacted the Shoreline Management Act (SMA). The Act recognized the value our State's shorelines offer for the recreation, commercial, ecological, and residential needs of our residents and future generations. To meet the requirements of the SMA, the City of Shelton adopted its first Shoreline Master Program (SMP) in 1975. The City waited nearly 20 years to comprehensively update it in 1995 with a substantial grant from the Department of Ecology.

In 2003, the Washington State Legislature passed Substitute Senate Bill 6012, which required cities and counties to comprehensively update their SMPs, a task that the City completed in May 2013, also with a substantial grant from the Department of Ecology. SSB 6012 also stipulates that cities and counties regularly review and update their SMPs, generally on 8-year intervals, to ensure they remain consistent with current State law and, hopefully, negate the need for very belabored comprehensive updates such as the City undertook in 1995 and 2013.

The City of Shelton is required by State law to have this most recent required update completed by July 2021. To aid in offsetting the costs of this mandated update, the Washington State Department of Ecology offered the City a \$16,800, no match, grant which the City Council authorized acceptance of on August 18, 2020.

After working diligently with Department of Ecology staff on incorporating the required changes into the City's Shoreline Master Program and Chapter 21.64 of the Shelton Municipal Code (Critical Areas), City staff provided the Council with a progress update at their regularly scheduled meeting on January 15, 2021. The progress update included draft copies of the proposed changes (in strikeout and underline).

Since that time Staff has continued to work with Ecology staff and has notified and met (virtually or by telephone) with many Shoreline stakeholders including our major waterfront/shoreline property owners (Manke Lumber, Sierra Pacific Industries, the Shelton Marina) as well as local tribes, the Master Builders, and other

resource agencies (Fish and Wildlife, Department of Natural Resources). The final draft changes to the City of Shelton's Shoreline Master Program and Chapter 21.64 (Critical Areas Protection) under consideration by the Shelton City Council today can be summarized as follows (also see attached Ordinance 1971-0621 for specific changes):

- 1) **Chapter 21.64 of the City of Shelton Municipal Code (Critical Areas Protection).** The Department of Ecology updated its guidance relative to Wetland typing, review, and protection in 2014. The changes noted in the chapter relate to the definition of "Wetland Delineation" to reflect DOE recommendations and a large amount of the "Wetlands" section of the code (21.64.100 through 21.64.147) has been updated to reflect the new science and methodology for typing and protecting wetlands in Western Washington.
- 2) **Chapter 2 of the City of Shelton Shoreline Master Program (SMP).** The Washington State Legislature updated a number of items relating to threshold costs for Substantial Development Permits and listed exemptions for various projects.
- 3) **Chapter 5 of the City of Shelton SMP.** The changes to Chapter 5 are limited to Section 5.5 (Critical Areas Protection) and simply remove citations relative to handling of wetlands in Shoreline Jurisdiction that are superseded by the changes proposed to Chapter 21.64.
- 4) **Chapter 6 of the City of Shelton SMP.** In 2014 the Washington State Legislature created a new definition and policy for legally established "Floating on-water residences" established before July 1, 2014 (no new "Floating on-water residences" are allowed in Washington State). Staff amended the use table contained in Chapter 6 to clarify that "Floating on-water residences" are not allowed.
- 5) **Chapter 7 of the City of Shelton SMP.** The Changes proposed in Chapter 7 simply update legal (WAC and RCW) citations, add updated requirements/allowances relating to State (WSDOT) projects passed by the State Legislature, and update Ecology's procedure for review of City issued Shoreline Permits to reflect current practices.
- 6) **Chapter 8 of the City of Shelton SMP.** The only change proposed in Chapter 7 is to update the legal definition of "development" as it relates to shoreline projects to clarify that dismantling or removing structures (without associated development or redevelopment) is not considered development relative to shoreline jurisdiction.

The Shelton City Council held a public hearing on the proposed Ordinance on June 15, 2021 after a short presentation by City Staff. No comments were received and the attached Ordinance remains unchanged as does staff's recommendation.

ANALYSIS/OPTIONS/ALTERNATIVES:

Update to the City of Shelton Shoreline Master Program to reflect State Guidance/Requirements is mandatory for the City to remain in compliance with State requirements and the Growth Management Act.

BUDGET/FISCAL INFORMATION:

The State of Washington Grant (\$16,800) is offsetting staff time and materials required to perform the update.

PUBLIC INFORMATION REQUIREMENTS:

Staff notified and worked with several major Shoreline Stakeholders and interests, including local tribes and State Resources agencies over the last several months. Notice of the public hearing was published in the Shelton Journal on June 3 and June 10, 2021.

STAFF RECOMMENDATION/MOTION:

Staff recommends a second reading of Ordinance No. 1971-0621 and: "I move to adopt Ordinance No. 1971-0621 as presented."

ORDINANCE NO. 1971-0621

AN ORDINANCE OF THE CITY OF SHELTON, WASHINGTON, RELATING TO LAND USE; AMENDING CHAPTER 21.64 (CRITICAL AREAS PROTECTION) AND CHAPTERS 2, 5, 6, 7, AND 8 OF THE CITY OF SHELTON SHORELINE MASTER PROGRAM.

WHEREAS, authority for regulation of Shorelines of the State are contained in the Shoreline Management Act (RCW 90.58) and the Washington State Shoreline Guidelines contained in WAC 173-26; and

WHEREAS, in 2003 the Department of Ecology issued guidelines (WAC 173-26) for updating local shoreline master programs; and

WHEREAS, the last major update to the City's Shoreline Master Program occurred in 2013; and

WHEREAS, in 2007 the City of Shelton updated its Critical Areas Ordinance to current science and standards; and

WHEREAS, the RCW 90.58 and WAC 173-26 require the "periodic review" of Shoreline Master Programs by local jurisdictions, in an effort to keep them current with amendments to state laws or rules, changes to local plans and regulations, and changes to address local circumstances, new information, or improved data; and

WHEREAS, the Community Development Department forwarded a copy of the changes proposed under this Ordinance to the Washington State Department of Commerce on March 30, 2021, pursuant to RCW 36.70A.106; and

WHEREAS, the City of Shelton Community Development Department provided SEPA notice for the proposed update to all affected agencies and Indian tribes and also provided the notice in the Shelton Journal for two consecutive weeks (May 20, 2021 and May 27, 2021); and

WHEREAS, the City Council held a public hearing on June 15, 2021 regarding the proposed update to the City of Shelton Shoreline Master Program.

NOW THEREFORE, be it ordained by the City Commission of the City of Shelton, Washington that Chapter 21.64 Critical Areas Protection of the Shelton Municipal Code and Chapters 2, 5, 6, and 7 of the City of Shelton Shoreline Master Program (2013) City of Shelton Shoreline Master Program be amended as follows:

Section 1. Chapter 21.64 (Critical Areas Protection) of the Shelton Municipal Code is amended as follows:

Section 21.64.030 Definitions, the definition of “Wetland Delineation” is amended as follows:

“Wetland delineation” means the precise determination of wetland boundaries in the field according to the application of specific methodology as described in the approved federal wetland delineation manual and applicable regional supplements, as amended.

Sections 21.64.100 through 21.64.143 are amended as follows:

21.64.100 Wetland designation.

A. Wetlands are those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Swamps, marshes, bogs, and wet meadows/pastures are examples of wetland. Some riparian areas adjacent to streams are also wetland.

B. Wetlands shall be identified in accordance with the requirements of RCW 36.70A.175 and 90.58.380. Unless otherwise provided for in this chapter, all areas within the city meeting the criteria in the approved federal wetland delineation manual and applicable regional supplements, as amended regardless of any formal identification are hereby designated critical areas and are subject to the provisions of this chapter.

C. The approximate location and extent of known or suspected wetlands are shown on the city’s critical area maps. Other, unmapped wetlands may exist within the city. These maps are to be used as a guide and do not provide a definitive critical area designation.

D. Wetlands shall be rated based on categories that reflect the functions and values of each wetland. Wetland categories shall be based on the criteria provided in the *Washington State Wetland Rating System for Western Washington: 2014 Update* (Ecology Publication #14-06-029, or as revised and approved by Ecology). These categories are generally defined as follows:

1. Category I Wetlands. Category I wetlands are those wetlands of exceptional value in terms of protecting water quality, storing flood and stormwater, and/or providing habitat for wildlife as indicated by a rating system score of 23 points or more. These are wetland communities of infrequent occurrence that often provide documented habitat for critical, threatened or endangered species, and/or have other attributes that are very difficult or impossible to replace if altered.
2. Category II Wetlands. Category II wetlands have significant value based on their function as indicated by a rating system score of between 20 and 22 points. They do not meet the criteria for Category I rating but occur infrequently and have qualities that are difficult to replace if altered.
3. Category III Wetlands. Category III wetlands have important resource value as indicated by a rating system score of between 16 and 19 points.
4. Category IV Wetlands. Category IV wetlands are wetlands of limited resource value as indicated by a rating system score of less than 16 points. They typically have

vegetation of similar age and class, lack special habitat features, and/or are isolated or disconnected from other aquatic systems or high quality upland habitats. (Ord. 1689-1206 § 1 (part), 2007)

21.64.120 Wetland review and reporting requirements.

A. The director shall require a site evaluation (field investigation) by a qualified professional to determine whether or not a regulated wetland is present and if so, its relative location in relation to the proposed project area on site. If the director determines that a wetland is more likely than not present, the director shall require a critical area study. If no regulated wetlands are present, then wetland review will be considered complete.

B. A critical area study (wetland assessment study) describes the characteristics of the subject property and adjacent areas. The assessment shall be completed pursuant to Section 21.64.082 and include the following:

1. Existing physical features of the site including buildings, fences, and other structures, roads, parking lots, utilities, water bodies, etc.;
2. Determination of the wetland category and wetland buffers;
3. Field identification and delineation of wetland boundaries. For on-site wetlands, the assessment shall include the dominant and subdominant plant species; soil type, color and texture; sources of hydrology (patterns of surface and subsurface water movement, precipitation, etc.), topography, and other pertinent information;
4. Identification of critical areas and buffers within three hundred feet of the site and an estimate of the approximate acreage for each. The assessment of off-site wetlands shall be based on available information and shall not require accessing off-site properties;
5. A detailed description of the effects of the proposed development on wetland and buffer function and value, including the area of direct wetland disturbance; area of buffer reduction or averaging including documentation that functions and values will not be adversely affected by the reduction or averaging; effects of stormwater management; proposed hydrologic alteration including changes to natural drainage or infiltration patterns; effects on fish and wildlife species and their habitats; clearing and grading impacts; temporary construction impacts; and effects of increased noise, light or human intrusion;
6. A mitigation plan, if applicable. (Ord. 1689-1206 § 1 (part), 2007)

21.64.130 Wetland buffers.

A. Wetland buffer zones shall be required for all regulated activities adjacent to wetlands. Any wetland created, restored or enhanced as compensation for approved wetland alterations shall also include the standard buffer required for the category of the created, restored or enhanced wetland. All buffers shall be measured from the wetland boundary as surveyed in the field. The width of the wetland buffer zone shall be determined according to wetland category. Buffers shall not include areas that are

functionally and effectively disconnected from the wetland by a road or other substantially developed surface of sufficient width and with use characteristics such that buffer functions are not provided.

B. The buffer standards required by this chapter presume the existence of a dense vegetation community in the buffer adequate to protect the wetland functions and values. When a buffer lacks adequate vegetation, the director may increase the standard buffer, require buffer planting or enhancement, and/or deny a proposal for buffer reduction or buffer averaging.

C. Buffer Dimensions.

A. Buffer Requirements. The following buffer width tables have been established in accordance with the best available science. They are based on the category of wetland and the habitat score as determined by a qualified wetland professional using the *Washington State Wetland Rating System for Western Washington: 2014 Update* (Ecology Publication #14-06-029, or as revised and approved by Ecology).

1. For wetlands that score 6 points or more for habitat function, the buffers in Table 1 can be used if both of the following criteria are met:

- A relatively undisturbed, vegetated corridor at least 100 feet wide is protected between the wetland and any other Priority Habitats as defined by the Washington State Department of Fish and Wildlife. The latest definitions of priority habitats and their locations are available on the WDFW web site at:
<http://wdfw.wa.gov/hab/phshabs.htm>)

The corridor must be protected for the entire distance between the wetland and the Priority Habitat by some type of legal protection such as a conservation easement.

Presence or absence of a nearby habitat must be confirmed by a qualified biologist. If no option for providing a corridor is available, Table 1 may be used with the required measures in Table 2 alone.

- The measures in Table 2 are implemented, where applicable, to minimize the impacts of the adjacent land uses.

2. For wetlands that score 3-5 habitat points, only the measures in Table 2 are required for the use of Table 1
3. If an applicant chooses **not** to apply the mitigation measures in Table 2, or is unable to provide a protected corridor **where available**, then Table 3 **must** be used.

4. The buffer widths in Table 1 and 3 assume that the buffer is vegetated with a native plant community appropriate for the ecoregion. If the existing buffer is unvegetated, sparsely vegetated, or vegetated with invasive species that do not perform needed functions, the buffer should either be planted to create the appropriate plant community or the buffer should be widened to ensure that adequate functions of the buffer are provided.

Table 1. Wetland Buffer Requirements, in feet, if Table 2 is Implemented and Corridor Provided

Wetland Category	Habitat Score 3-5 points	Habitat Score 6-7 points	Habitat Score 8-9 points
Category I: Based on total function score	75	110	225
Category I: Bogs and Wetlands of High Conservation Value	190	190	225
Category I: Interdunal	225*	225*	225*
Category I: Forested	75	110	225
Category I: Estuarine and Coastal Lagoon	150*	150*	150*
Category II: Based on total function score	75	110	225
Category II: Interdunal Wetlands	110*	110*	110*
Category II: Estuarine and Coastal Lagoons	110*	110*	110*
Category III: All types except Interdunal	60	110	225
Category III: Interdunal Wetlands	60*	60*	NA
Category IV: All Types	40*	40*	40*

*** Buffer width not based on habitat scores**

Table 2 Impact Minimization Measures.

Developments that produce the listed disturbances and are requesting a buffer listed in Table 1 are required to address the disturbance through the use of applicable minimization measures.

This is not a complete list of measures, nor is every example measure required. Though every measure is not required, all effort should be made to implement as many measures as possible. The Director will determine, in coordination with the applicant, which measures are applicable and practicable.

Table 2. Impact Minimization Measures.

Examples of Disturbance	Activities and Uses that Cause Disturbances	Examples of Measures to Minimize Impacts
Lights	<ul style="list-style-type: none">• Parking lots• Commercial/Industrial• Residential• Recreation (e.g. athletic fields)• Agricultural buildings	<ul style="list-style-type: none">• Direct lights away from wetland• Only use lighting where necessary for public safety and keep lights off when not needed• Use motion activated lights• Use full cut-off filters to cover light bulbs and direct light only where needed• Limit use of blue-white colored lights in favor of red-amber hues• Use lower intensity LED lighting• Dim light to the lowest acceptable intensity
Noise	<ul style="list-style-type: none">• Commercial• Industrial• Recreation – (e.g. athletic fields, bleachers, etc.)• Residential• Agriculture	<ul style="list-style-type: none">• Locate activity that generates noise away from wetland• Construct a fence to reduce noise impacts on adjacent wetland and buffer• Plant a strip of dense shrub vegetation adjacent to wetland buffer

Examples of Disturbance	Activities and Uses that Cause Disturbances	Examples of Measures to Minimize Impacts
Toxic runoff*	<ul style="list-style-type: none"> • Parking lots • Roads • Commercial/industrial • Residential areas • Application of agricultural pesticides • Landscaping • Agriculture 	<ul style="list-style-type: none"> • Route all new, untreated runoff away from wetland while ensuring wetland is not dewatered • Establish covenants limiting use of pesticides within 150 ft. of wetland • Apply integrated pest management
Stormwater runoff	<ul style="list-style-type: none"> • Parking lots • Roads • Residential areas • Commercial/Industrial • Recreation • Landscaping/lawns • Other impermeable surfaces, compacted soil, etc. 	<ul style="list-style-type: none"> • Retrofit stormwater detention and treatment for roads and existing adjacent development • Prevent channelized or sheet flow from lawns that directly enters the buffer • Infiltrate or treat, detain, and disperse new runoff from impervious surfaces and lawns
Pets and human disturbance	<ul style="list-style-type: none"> • Residential areas • Recreation 	<ul style="list-style-type: none"> • Use privacy fencing • Plant dense native vegetation to delineate buffer edge and to discourage disturbance • Place wetland and its buffer in a separate tract • Place signs around the wetland buffer every 50-200', and for subdivisions place signs at the back of each residential lot. • When platting new subdivisions, locate greenbelts, stormwater facilities, or other lower-intensity land uses adjacent to wetland buffers.
Dust	<ul style="list-style-type: none"> • Tilled fields • Roads 	<ul style="list-style-type: none"> • Use best management practices to control dust
* These examples are not necessarily adequate for minimizing toxic runoff if threatened or endangered species are present at the site.		

Table 3. Buffer requirements, in feet, for applicants choosing not to provide corridor or implement measures in Table 2

Wetland Category	Habitat Score 3-5 points	Habitat Score 6-7 points	Habitat Score 8-9 points
Category I: Based on total function rating score (and not listed below)	100	150	300
Category I: Bogs and Wetlands of High Conservation Value	250	250	300
Category I: Interdunal	NA	NA	300
Category I: Forested	100	150	300
Category I: Estuarine and Coastal Lagoons	200*	200*	200*
Category II: Based on total function rating score (and not listed below)	100	150	300
Category II: Interdunal Wetlands	150*	150*	150*
Category II: Estuarine and Coastal Lagoons	150*	150*	150*
Category III: All Types Except Interdunal	80	150	300
Category III: Interdunal Wetlands	80*	80*	NA
Category IV: All Types	50*	50*	50*

***Buffer width not based on habitat scores.**

E. Where lands within the wetland buffer have an average continuous slope of twenty percent to thirty-five percent, and the required buffer width is less than one hundred feet, the buffer shall extend to a thirty percent greater dimension. In all cases, where slopes within the buffers exceed 35 percent, the buffer shall extend twenty-five feet beyond the top of the bank of the sloping area or, if a buffer associated with a geological hazard is present, to whichever extent is greater.

F. Where other critical areas defined in this chapter fall within the wetland buffer, the buffer dimension shall be the most expansive of the buffers applicable to any applicable critical area. (Ord. 1689-1206 § 1 (part), 2007)

21.64.135 Provisions for small isolated wetlands.

A. All wetlands shall be regulated regardless of size; provided, that the director shall assure that preservation of isolated wetlands and associated buffers of less than ten thousand square feet of combined wetland and buffer shall maintain effective wetland functions, or be mitigated as provided below.

B. Wetlands and associated buffers of less than one thousand square feet may be displaced when the wetland meets all of the following criteria, as documented in a wetland critical area study.

1. The wetland is not associated with a riparian corridor or their buffers
2. The wetland is not associated with shorelines of the state or their associated buffers;
3. The wetland is not part of a wetland mosaic;
4. The wetland does not contain habitat identified as essential for local populations of priority species identified by Washington Department of Fish and Wildlife; and
5. Impacts of displaced wetlands are mitigated pursuant to Sections 21.64.087 and 21.64.143.

C. Category IV wetlands between one thousand and four thousand square feet may be displaced without meeting the provisions of Section 21.64.087 regarding avoidance, minimization, rectification, and reducing and eliminating the impact over time; provided, that the criteria in subsection B of this section are met and the wetland does not score 6 points or greater for habitat in the 2014 Western Washington Rating System.

D. Preservation of isolated wetlands with a total area of the combined wetland and buffer of ten thousand square feet or less shall meet the following provisions, or if the said provisions cannot be demonstrated, as specified by the director, they may be displaced and shall be mitigated as specified in Section 21.64.143.

1. Depressional wetlands recharged only by precipitation, interflow or groundwater shall be assured a source of recharge to maintain its hydrologic character through stormwater infiltration, or other means.

2. Wetlands that have a potential to reduce flooding or erosion or has the potential and opportunity to maintain or improve water quality as evidenced by a score of at least ten points on the applicable criteria of the wetland rating form for Western Washington shall maintain a hydraulic connection to surface water that maintains effective wetland function for flood or erosion reduction or water quality and does not substantially alter the existing hydroperiod of the wetland.
3. Wetlands that achieve a score of at least 5 points on the habitat functions criteria of the wetland rating form for Western Washington shall maintain a connection to a linear corridor maintained as a stream buffer, a buffer associated with a geological hazard or other designated open space buffer sufficient to allow movement of terrestrial wildlife to and from the wetland and buffer complex without interruption by roads, paved areas or buildings within fifty feet. (Ord. 1689-1206 § 1 (part), 2007)

21.64.140 Wetland buffer averaging.

The Director may average wetland buffer widths on a case-by-case basis when the applicant demonstrates through a critical area study to the satisfaction of the director that all the following criteria are met:

A. Averaging to improve wetland protection may be permitted when all of the following conditions are met as demonstrated by a wetland assessment study pursuant to Section 21.64.120:

1. The wetland has significant differences in characteristics that affect its habitat functions, such as a wetland with a forested component adjacent to a degraded emergent component or a “dual-rated” wetland with a Category I area adjacent to a lower rated area;
2. The buffer is increased adjacent to the higher-functioning area of habitat or more sensitive portion of the wetland and decreased adjacent to the lower-functioning or less sensitive portion;
3. The total area of the buffer after averaging is equal to the area required without averaging and all increases in buffer dimension for averaging are generally parallel to the wetland edge;
4. The buffer at its narrowest point is never less than three-quarters of the required width.

B. Averaging to allow reasonable use of a parcel may be permitted when all of the following are met as demonstrated by a wetland assessment study pursuant to Section 21.64.120:

1. There are no feasible alternatives to the site design that could be accomplished without buffer averaging;
2. The averaged buffer will not result in degradation of the wetland’s functions and values;

3. The total buffer area after averaging is equal to the area required without averaging and all increases in buffer dimension for averaging are generally parallel to the wetland edge;

4. The buffer at its narrowest point is never less than three-quarters of the required width except where the director finds that there is an existing feature such as a roadway that limits buffer dimension, or an essential element of a proposed development such as access that must be accommodated for reasonable use and requires a smaller buffer.

C. The applicant implements all reasonable measures to reduce the adverse effects of adjacent land uses and ensure no net loss of wetland functions and values in conjunction with a wetland assessment study and mitigation plan. The specific measures that shall be implemented include, but are not limited to, those in Section 21.64.147. (Ord. 1689-1206 § 1 (part), 2007)

21.64.141 Wetland buffer increase.

The Director may increase the width of the standard buffer width on a case-by-case basis, based on a critical area study, when a larger buffer is required to protect critical habitats as outlined in Section 21.64.300, or such increase is necessary to:

A. Protect the function and value of that wetland from proximity impacts of adjacent land use, including noise, light and other disturbance, not sufficiently limited by buffers provided above;

B. Maintain viable populations of priority species of fish and wildlife; or

C. Protect wetlands or other critical areas from landslides, erosion or other hazards.
(Ord. 1689-1206 § 1 (part), 2007)

21.64.142 Allowed activities in wetlands and buffers.

The following uses and activities may be allowed in wetlands or buffer areas subject to the priorities, protection, and mitigation requirements of this section:

A. Utility lines and facilities providing local delivery service, not including facilities such as electrical substations, water and sewage pumping stations, water storage tanks, petroleum products pipelines and not including transformers or other facilities containing hazardous substances, may be located in Category II, III, and IV wetlands and their buffers and/or Category I wetland buffers if the following criteria are met:

1. There is no reasonable location or route outside the wetland or wetland buffer based on analysis of system needs, available technology and alternative routes. Location within a wetland buffer shall be preferred over a location within a wetlands.
2. The utility line is located as far from the wetland edge as possible and in a manner that minimizes disturbance of soils and vegetation.

3. Clearing, grading, and excavation activities are limited to the minimum necessary to install the utility line, which may include boring, and the area is restored following utility installation.

4. Buried utility lines shall be constructed in a manner that prevents adverse impacts to subsurface drainage. This may include the use of trench plugs or other devices as needed to maintain hydrology.

5. Impacts on wetland functions are mitigated in accordance with Section 21.64.143.

B. Public and private roadways and railroad facilities, including bridge construction and culvert installation, if the following criteria are met:

1. There is no reasonable location or route outside the wetland or wetland buffer based on analysis of system needs, available technology and alternative routes. Location within a wetland buffer shall be preferred over a location within a wetland.

2. Facilities parallel to the wetland edge are located as far from the wetland edge as possible and in a manner that minimizes disturbance of soils and vegetation.

3. Clearing, grading, and excavation activities are limited to the minimum necessary, which may include placement on elevated structures as an alternative to fill, where feasible.

4. Impacts on wetland functions are mitigated in accordance with Section 21.64.143.

C. Access to private development sites may be permitted to cross Category II, III, or IV wetlands or their buffers, pursuant to the criteria in subsection B of this section; provided, that alternative access shall be pursued to the maximum extent feasible, including through the provisions of Chapter 8.24 RCW. Exceptions or deviations from technical standards for width or other dimensions, and specific construction standards to minimize impacts may be specified, including placement on elevated structures as an alternative to fill, if feasible.

D. Maintenance, repair, or operation of existing structures, facilities, or improved areas, including minor modification of existing serviceable structures within a buffer zone where modification does not adversely impact wetland functions, and subject to the provisions for nonconforming use and facilities.

E. Stormwater conveyance or discharge facilities such as dispersion trenches, level spreaders, and outfalls may be permitted within a Category II, III, or IV wetland buffer on a case-by-case basis if the following are met:

1. Due to topographic or other physical constraints, there are no feasible locations for these facilities to discharge to surface water through existing systems or outside the buffer. Locations and designs that infiltrate water shall be preferred over a design that crosses the buffer.

2. The discharge is located as far from the wetland edge as possible and in a manner that minimizes disturbance of soils and vegetation and avoids long-term rill or channel erosion.

F. On-site sewage disposal system conventional drainfields may be permitted in the outer twenty-five percent of a Category II, III and IV wetland buffer when accessory to an approved residential structure, if the following conditions are met:

1. It is not feasible to connect to a public sanitary sewer system;
2. There is no reasonable location outside the wetland buffer based on analysis of conditions within the contiguous property owned by the applicant;
3. The facility is located as far from the wetland edge as possible and is designed and constructed in a manner that minimizes disturbance of soils and vegetation, and no trees in excess of four inches in diameter are removed or disturbed;
4. Clearing, grading, and excavation activities are limited to the minimum necessary and the area is restored following installation.

G. Outdoor recreational or educational activities which do not significantly affect the function of the wetland or regulated buffer (including wildlife management or viewing structures, outdoor scientific or interpretive facilities, trails, hunting blinds, etc.) may be permitted within a Category II, III, or IV wetlands or their buffers and within a Category I wetland buffer if the following criteria are met:

1. Trails shall not exceed four feet in width and shall be surfaced with gravel or pervious material, including boardwalks;
2. The trail or facility is located in the outer fifty percent of the buffer area unless a location closer to the wetland edge or within the wetland is required for interpretive purposes;
3. The trail or facility is constructed and maintained in a manner that minimizes disturbance of the wetland or buffer. Trails or facilities within wetlands shall be placed on an elevated structure as an alternative to fill;
4. Wetland mitigation in accordance with Section 21.64.143. (Ord. 1689-1206 § 1 (part), 2007)

21.64.143 Wetland mitigation.

Activities that adversely affect wetlands and/or wetland buffers shall include mitigation sufficient to achieve no net loss of wetland function and values in accordance with Section 21.64.087 and this section.

A. Wetland Alterations. Compensatory mitigation shall be provided for all wetland alteration and shall re-establish, create, rehabilitate, enhance, and/or preserve equivalent wetland functions and values. Compensation for wetland alterations shall occur in the following order of preference:

1. Re-establishing wetlands on upland sites that were formerly wetlands.
2. Rehabilitating wetlands for the purposes of repairing or restoring natural and/or historic functions.
3. Creating wetlands on disturbed upland sites such as those consisting primarily of nonnative, invasive plant species.
4. Enhancing significantly degraded wetlands.
5. Preserving Category I or II wetlands that are under imminent threat; provided, that preservation shall only be allowed in combination with other forms of mitigation and when the director determines that the overall mitigation package fully replaces the functions and values lost due to development.

B. Mitigation Ratios. Compensatory mitigation for wetland alterations shall be based on the wetland category and the type of mitigation activity proposed. The replacement ratio shall be determined according to the ratios provided in the table below; provided, that replacement ratio for preservation shall be determined by the director on a case-by-case basis. The created, re-established, rehabilitated, or enhanced wetland area shall at a minimum provide a level of function equivalent to the wetland being altered and shall be located in an appropriate landscape setting.

Table 21.64.143—Wetland Mitigation Type and Replacement Ratio*

Wetland Category	Creation	Re-establishment	Rehabilitation	Enhancement Only
Category IV	1.5:1	1.5:1	3:1	6:1
Category III	2:1	2:1	4:1	8:1
Category II	3:1	3:1	6:1	12:1
Category I	4:1	4:1	8:1	16:1

* Ratio is the replacement area: impact area.

C. Compensation for wetland buffer impacts shall occur at a minimum one-to-one ratio. Compensatory mitigation for buffer impacts shall include enhancement of degraded buffers by planting native species, removing structures and impervious surfaces within buffers, and other measures.

D. Mitigation banks shall not be subject to the replacement ratios outlined in the replacement ratio table above, but shall be determined as part of the mitigation banking agreement and certification process.

E. Buffers. Replacement wetlands established pursuant to these mitigation provisions shall have adequate buffers to ensure their protection and sustainability. The buffer shall be based on the category in Section 21.64.130; provided, that the director shall have the

authority to approve a smaller buffer when existing site constraints (such as a road) prohibit attainment of the standard buffer.

F. Adjustment of Ratios. The director shall have the authority to adjust these ratios when a combination of mitigation approaches is proposed. In such cases, the area of altered wetland shall be replaced at a one-to-one ratio through re-establishment or creation, and the remainder of the area needed to meet the ratio can be replaced by enhancement at a two-to-one ratio. For example, impacts to one acre of a Category II wetland requiring a three-to-one ratio for creation can be compensated by creating one acre and enhancing four acres (instead of the additional two acres of creation that would otherwise be required).

G. Location. Compensatory mitigation shall be provided on-site or off-site in the location that will provide the greatest ecological benefit and have the greatest likelihood of success; provided, that mitigation occurs as close as possible to the impact area and within the same watershed sub-basin as the permitted alteration; provided, that mitigation within the watershed of a stream flowing into Oakland Bay or Hammersley Inlet and within WRIA 14 may be approved upon demonstration through a watershed- or landscape-based analysis that said mitigation site would have greater ecological benefit.

H. Protection. All mitigation areas whether on- or off-site shall be permanently protected and managed to prevent degradation and ensure protection of critical area functions and values into perpetuity. Permanent protection shall be achieved through deed restriction or other protective covenant in accordance with Section 21.64.085.

I. Timing. Mitigation activities shall be timed to occur in the appropriate season based on weather and moisture conditions and shall occur as soon as possible after the permitted alteration. (Ord. 1689-1206 § 1 (part), 2007)

Section 2. The City of Shelton Shoreline Master Program (2013), Chapter 2 (Applicability, Shoreline Permits, and Exemptions) is hereby amended as follows:

Section 2.3.2 List of Exemptions

1. The following list should be considered a summary of exempt activities. Exemptions and details can be found in RCW 90.58.030 (3)(e), 90.58.147, 90.58.355, 90.58.515, and WAC 173-27-040, as amended. Exempt activities shall be considered exempt from the requirement to obtain a shoreline substantial development permit, but shall obtain a statement of exemption, as provided for in Section 2.3.3.
 - a. Any development of which the total cost or fair market value, whichever is higher, does not exceed six thousand, four hundred, sixteen dollars (\$7,047) or as adjusted by the State Office of Financial Management, if such development does not materially interfere with the normal public use of the water or shorelines of the state. For purposes of determining

whether or not a permit is required, the total cost or fair market value shall be based on the value of development that is occurring on shorelines of the state as defined in RCW 90.58.030 (2)(c). The total cost or fair market value of the development shall include the fair market value of any donated, contributed or found labor, equipment or materials.

- b. Normal maintenance or repair of existing structures or developments, including damage by accident, fire or elements. "Normal maintenance" includes those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition. "Normal repair" means to restore a development to a state comparable to its original condition, including but not limited to its size, shape, configuration, location and external appearance, within a reasonable period after decay or partial destruction, except where repair causes substantial adverse effects to shoreline resource or environment. Replacement of a structure or development may be authorized as repair where such replacement is the common method of repair for the type of structure or development and the replacement structure or development is comparable to the original structure or development including but not limited to its size, shape, configuration, location and external appearance and the replacement does not cause substantial adverse effects to shoreline resources or environment.
- c. Construction of the normal protective bulkhead common to single-family residences. A "normal protective" bulkhead includes those structural and nonstructural developments installed at or near, and parallel to, the ordinary high water mark for the sole purpose of protecting an existing single-family residence and appurtenant structures from loss or damage by erosion. A normal protective bulkhead is not exempt if constructed for the purpose of creating dry land. When a vertical or near vertical wall is being constructed or reconstructed, not more than one cubic yard of fill per one foot of wall may be used as backfill. When an existing bulkhead is being repaired by construction of a vertical wall fronting the existing wall, it shall be constructed no further waterward of the existing bulkhead than is necessary for construction of new footings. When a bulkhead has deteriorated such that an ordinary high water mark has been established by the presence and action of water landward of the bulkhead then the replacement bulkhead must be located at or near the actual ordinary high water mark. Beach nourishment and bioengineered erosion control projects may be considered a normal protective bulkhead when any structural elements are consistent with the above requirements and when the project has been approved by the Department of Fish and Wildlife.

- d. Emergency construction necessary to protect property from damage by the elements. An "emergency" is an unanticipated and imminent threat to public health, safety, or the environment which requires immediate action within a time too short to allow full compliance with this chapter. Emergency construction does not include development of new permanent protective structures where none previously existed. Where new protective structures are deemed by the administrator to be the appropriate means to address the emergency situation, upon abatement of the emergency situation the new structure shall be removed or any permit which would have been required, absent an emergency, pursuant to chapter 90.58 RCW, these regulations, or the local master program, obtained. All emergency construction shall be consistent with the policies of chapter 90.58 RCW and the local master program. As a general matter, flooding or other seasonal events that can be anticipated and may occur but that are not imminent are not an emergency.
- e. Construction and practices normal or necessary for farming, irrigation, and ranching activities, including agricultural service roads and utilities on shorelands, construction of a barn or similar agricultural structure, and the construction and maintenance of irrigation structures including but not limited to head gates, pumping facilities, and irrigation channels: Provided, That a feedlot of any size, all processing plants, other activities of a commercial nature, alteration of the contour of the shorelands by leveling or filling other than that which results from normal cultivation, shall not be considered normal or necessary farming or ranching activities. A feedlot shall be an enclosure or facility used or capable of being used for feeding livestock hay, grain, silage, or other livestock feed, but shall not include land for growing crops or vegetation for livestock feeding and/or grazing, nor shall it include normal livestock wintering operations.
- f. Construction or modification of navigational aids such as channel markers and anchor buoys.
- g. Construction on shorelands by an owner, lessee or contract purchaser of a single-family residence for their own use or for the use of their family, which residence does not exceed a height of thirty-five (35) feet above average grade level and which meets all requirements of the state agency or local government having jurisdiction thereof, other than requirements imposed pursuant to chapter 90.58 RCW. "Single-family residence" means a detached dwelling designed for and occupied by one family including those structures and developments within a contiguous ownership which are a normal appurtenance. An "appurtenance" is necessarily connected to the use and enjoyment of a single-family residence and is located landward of the ordinary high water mark and the perimeter of a wetland. Normal appurtenances

include a garage; deck; driveway; utilities; fences; installation of a septic tank and drainfield and grading which does not exceed two hundred fifty cubic yards and which does not involve placement of fill in any wetland or waterward of the ordinary high water mark. Construction authorized under this exemption shall be located landward of the ordinary high water mark.

- h. Construction of a dock, including a community dock, designed for pleasure craft only, for the private noncommercial use of the owner, lessee, or contract purchaser of single-family and multiple-family residences. A dock is a landing and moorage facility for watercraft and does not include recreational decks, storage facilities or other appurtenances. This exception applies if either:
 - i. In salt waters, the fair market value of the dock does not exceed two thousand five hundred dollars (\$2,500); or
 - ii. In fresh waters the fair market value of the dock does not exceed:
 - a) Twenty-two thousand five hundred dollars (\$22,500) for docks that are constructed to replace existing docks, are of equal or lesser square footage than the existing dock being replaced; or
 - b) Eleven thousand two hundred (\$11,200) dollars for all other docks constructed in fresh waters.

However, if subsequent construction occurs within five years of the completion of the prior construction, and the combined fair market value of the subsequent and prior construction exceeds the amount specified above, the subsequent construction shall be considered a substantial development for the purpose of this chapter.

For purposes of this section salt water shall include the tidally influenced marine and estuarine water areas of the state including the Puget Sound and all bays and inlets associated.

- i. Operation, maintenance, or construction of canals, waterways, drains, reservoirs, or other facilities that now exist or are hereafter created or developed as a part of an irrigation system for the primary purpose of making use of system waters, including return flow and artificially stored groundwater from the irrigation of lands.
- j. The marking of property lines or corners on state-owned lands, when such marking does not significantly interfere with normal public use of the surface of the water.
- k. Operation and maintenance of any system of dikes, ditches, drains, or other facilities existing on September 8, 1975, which were created, developed or utilized primarily as a part of an agricultural drainage or diking system.

- l. Any project with a certification from the governor pursuant to chapter 80.50 RCW.
- m. Site exploration and investigation activities that are prerequisite to preparation of an application for development authorization under this chapter, if:
 - i. The activity does not interfere with the normal public use of the surface waters;
 - ii. The activity will have no significant adverse impact on the environment including but not limited to fish, wildlife, fish or wildlife habitat, water quality, and aesthetic values;
 - iii. The activity does not involve the installation of any structure, and upon completion of the activity the vegetation and land configuration of the site are restored to conditions existing before the activity;
 - iv. A private entity seeking development authorization under this section first posts a performance bond or provides other evidence of financial responsibility to the local jurisdiction to ensure that the site is restored to preexisting conditions; and
 - v. The activity is not subject to the permit requirements of RCW 90.58.550.
- n. The process of removing or controlling aquatic noxious weeds, as defined in RCW 17.26.020, through the use of a herbicide or other treatment methods applicable to weed control that are recommended by a final environmental impact statement published by the Department of Agriculture or the Department of Ecology jointly with other state agencies under RCW 43.21C.
- o. Watershed restoration projects as defined below. Local government shall review the projects for consistency with the shoreline master program in an expeditious manner and shall issue its decision along with any conditions within forty-five (45) days of receiving all materials necessary to review the request for exemption from the applicant. No fee may be charged for accepting and processing requests for exemption for watershed restoration projects as used in this section.
 - i. "Watershed restoration project" means a public or private project authorized by the sponsor of a watershed restoration plan that implements the plan or a part of the plan and consists of one or more of the following activities:
 - a) A project that involves less than ten (10) miles of stream-reach, in which less than twenty-five (25) cubic yards of sand, gravel, or soil is removed, imported, disturbed or discharged, and in

which no existing vegetation is removed except as minimally necessary to facilitate additional plantings;

- b) A project for the restoration of an eroded or unstable stream bank that employs the principles of bioengineering, including limited use of rock as a stabilization only at the toe of the bank, and with primary emphasis on using native vegetation to control the erosive forces of flowing water; or
 - c) A project primarily designed to improve fish and wildlife habitat, remove or reduce impediments to migration of fish, or enhance the fishery resource available for use by all of the citizens of the state, provided that any structure, other than a bridge or culvert or instream habitat enhancement structure associated with the project, is less than two hundred (200) square feet in floor area and is located above the ordinary high water mark of the stream.
- ii. "Watershed restoration plan" means a plan, developed or sponsored by the Department of Fish and Wildlife, the Department of Ecology, the Department of Natural Resources, the Department of Transportation, a federally recognized Indian tribe acting within and pursuant to its authority, a city, a county, or a conservation district that provides a general program and implementation measures or actions for the preservation, restoration, re-creation, or enhancement of the natural resources, character, and ecology of a stream, stream segment, drainage area, or watershed for which agency and public review has been conducted pursuant to chapter 43.21C RCW, the State Environmental Policy Act.
- p. A public or private project that is designed to improve fish or wildlife habitat or fish passage, when all of the following apply:
 - i. The project has been approved in writing by the Department of Fish and Wildlife;
 - ii. The project has received hydraulic project approval by the Department of Fish and Wildlife pursuant to chapter 77.55 RCW; and
 - iii. The City of Shelton has determined that the project is substantially consistent with this shoreline master program. The City shall make such determination in a timely manner and provide it by letter to the project proponent.
 - a) Fish habitat enhancement projects that conform to the provisions of RCW 77.55.181 are determined to be consistent with this shoreline master program, as follows:
 - (a) In order to receive the permit review and approval process created in this section, a fish habitat enhancement project

must meet the criteria under (p)(iii)(1)(a)(i) and (ii) of this subsection:

- (i) A fish habitat enhancement project must be a project to accomplish one or more of the following tasks:
 - 1. Elimination of human-made fish passage barriers, including culvert repair and replacement;
 - 2. Restoration of an eroded or unstable streambank employing the principle of bioengineering, including limited use of rock as a stabilization only at the toe of the bank, and with primary emphasis on using native vegetation to control the erosive forces of flowing water; or
 - 3. Placement of woody debris or other in-stream structures that benefit naturally reproducing fish stocks.
 - 4. Restoration of native kelp and eelgrass beds and restoring native oysters.

The Department of Fish and Wildlife shall develop size or scale threshold tests to determine if projects accomplishing any of these tasks should be evaluated under the process created in this section or under other project review and approval processes. A project proposal shall not be reviewed under the process created in this section if the Department of Ecology determines that the scale of the project raises concerns regarding public health and safety; and

- (ii) A fish habitat enhancement project must be approved in one of the following ways:
 - 1. By the Department of Fish and Wildlife pursuant to RCW chapter 77.95 or 77.100;
 - 2. By the sponsor of a watershed restoration plan as provided in RCW chapter 89.08;
 - 3. By the Department of Ecology as a Department of Fish and Wildlife-sponsored fish habitat enhancement or restoration project;
 - 4. Through the review and approval process for the jobs for the environment program;
 - 5. Through the review and approval process for conservation district-sponsored projects, where the project complies with design standards established by

the conservation commission through interagency agreement with the United States Fish and Wildlife Service and the natural resource conservation service;

6. Through a formal grant program established by the legislature or the Department of Fish and Wildlife for fish habitat enhancement or restoration; and
7. Through other formal review and approval processes established by the legislature.

(b) Fish habitat enhancement projects meeting the criteria of (p)(iii)(1)(A) of this subsection are expected to result in beneficial impacts to the environment. Decisions pertaining to fish habitat enhancement projects meeting the criteria of (p)(iii)(1)(A) of this subsection and being reviewed and approved according to the provisions of this section are not subject to the requirements of RCW 43.21C.030 (2)(c).

(c)

- (i) A hydraulic project approval permit is required for projects that meet the criteria of (p)(iii)(1)(A) of this subsection and are being reviewed and approved under this section. An applicant shall use a joint aquatic resource permit application form developed by the Office of Regulatory Assistance to apply for approval under this chapter. On the same day, the applicant shall provide copies of the completed application form to the Department of Fish and Wildlife and to each appropriate local government. The City of Shelton shall accept the application as notice of the proposed project. The Department of Fish and Wildlife shall provide a fifteen-day (15) comment period during which it will receive comments regarding environmental impacts. Within forty-five (45) days, the Department of Ecology shall either issue a permit, with or without conditions, deny approval, or make a determination that the review and approval process created by this section is not appropriate for the proposed project. The Department of Ecology shall base this determination on identification during the comment period of adverse impacts that cannot be mitigated by the conditioning of a permit. If the Department of Ecology determines that the review and approval process created by this section is not appropriate for the proposed project, the Department of Ecology shall notify the applicant and the City of Shelton of its determination. The applicant may reapply for approval of the project under other review and approval processes.

- (ii) Any person aggrieved by the approval, denial, conditioning, or modification of a permit under this section may formally appeal the decision to the hydraulic appeals board pursuant to the provisions of WAC chapter 173-27.
 - (d) The City of Shelton may not require permits or charge fees for fish habitat enhancement projects that meet the criteria of (p)(iii)(1)(A) of this subsection and that are reviewed and approved according to the provisions of this section.
- q. Developments not required to obtain shoreline permits or local reviews.

Requirements to obtain a Substantial Development Permit, Conditional Use Permit, Variance, letter of exemption, or other review to implement the Shoreline Management Act do not apply to the following:

- i. Remedial actions. Pursuant to RCW 90.58.355, any person conducting a remedial action at a facility pursuant to a consent decree, order, or agreed order issued pursuant to RCW 70.105D, or to the Department of Ecology when it conducts a remedial action under RCW 70.105D.
- ii. Boatyard improvements to meet NPDES permit requirements. Pursuant to RCW 90.58.355, any person installing site improvements for storm water treatment in an existing boatyard facility to meet the requirements of a national pollutant discharge elimination system storm water general permit.
- iii. WSDOT facility maintenance and safety improvements. Pursuant to RCW 90.58.356, Washington State Department of Transportation projects and activities meeting the conditions of RCW 90.58.356 are not required to obtain a Substantial Development Permit, Conditional Use Permit, Variance, letter of exemption, or other local review.
- iv. Projects consistent with an environmental excellence program agreement pursuant to RCW 90.58.045.
- v. Projects authorized through the Energy Facility Site Evaluation Council process pursuant to RCW 80.50.
- r. The external or internal retrofitting of an existing structure with the exclusive purpose of compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.) or to otherwise provide physical access to the structure by individuals with disabilities.

Section 3. Chapter 5, Section 5.5 (Critical Areas Protection) of the City of Shelton Shoreline Master Program (2013) is hereby amended as follows:

For purposes of this Program, the following critical areas, defined in SMC Title 21, will be protected under this Program:

1. Frequently Flooded Areas;
2. Wetlands;
3. Geologically Hazardous Areas;
4. Fish and Wildlife Habitat Conservation Areas; and
5. Aquifer Recharge Areas.

5.1.1 General Provisions

1. The City of Shelton Critical Area Protection Ordinance, SMC 21.64 the Aquifer Recharge Areas provisions in SMC 21.66, and the Flood Damage Prevention provisions in SMC 18.10 are hereby adopted in whole as a part of this Program, except for the following:
 - a. SMC 21.64.083 “Reasonable use:” Within shoreline jurisdiction, reasonable use requests must be processed as a Variance, consistent with Chapter 2, Section 2.5.
 - b. SMC 21.64.091 “Appeals:” Within shoreline jurisdiction, any appeals of an administrative decision shall be appealed to the state Shorelines Hearings Board pursuant to WAC 173-27-220 and the provisions of section 7.9 of this SMP.
 - c. In shoreline jurisdiction, the definition of hydric soils in SMC 21.64.030 does not apply. The definition of hydric soil shall be derived from the language in the Corps of Engineers Wetland Delineation Manual and the U.S. Army Corps of Engineers (2010) Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0).

All references to the Critical Area Protection Ordinance SMC 21.64 (CAO) are for this specific version.

2. Shoreline uses, activities, developments and their associated structures and equipment shall be located, designed and operated to protect the ecological processes and functions of critical areas.
3. Critical areas within the shoreline jurisdiction shall be regulated for any use, development or activity, as provided in accordance with this Program and SMC Chapter 21.64, whether or not a shoreline permit or written statement of exemption is required.
4. Provisions of the critical area regulations that are not consistent with the Act and supporting WAC chapters shall not apply in shoreline jurisdiction.

5. Unless otherwise stated, no development shall be constructed, located, extended, modified, converted, or altered or land divided without full compliance with SMC Title 21.64 Critical Areas.
6. Unless otherwise stated, critical area buffers shall be protected and/or enhanced in accordance with this Program and SMC Chapter 21.64. However, these provisions do not extend the shoreline jurisdiction beyond the limits specified in this Program.
7. Docks and piers, bulkheads, bridges, fill, floats, jetties, utility crossings, and other human-made structures shall not intrude into or over critical saltwater habitats except when all of the conditions below are met:
 - a. The public's need for such an action or structure is clearly demonstrated and the proposal is consistent with the protection of the public trust, as embodied in RCW 90.58.020;
 - b. Avoidance of impacts to critical saltwater habitats by an alternative alignment or location is not feasible or would result in unreasonable and disproportionate cost to accomplish the same general purpose;
 - c. The project, including any required mitigation, will result in no net loss of ecological functions associated with critical saltwater habitat.
 - d. The project is consistent with the State's interest in resource protection and species recovery.

Private, noncommercial docks for individual residential or community use may be authorized provided that;

- a. Avoidance of impacts to critical saltwater habitats by an alternative alignment or location is not feasible;
- b. The project, including any required mitigation, will result in no net loss of ecological functions associated with critical saltwater habitat.

All over-water and near-shore developments in marine and estuarine waters shall provide an inventory of the site and adjacent beach sections to assess the presence of critical saltwater habitats and functions. The methods and extent of the inventory shall be consistent with accepted research methodology.

Section 4. Chapter 6, Specific Shoreline Use and Modification Regulations, Table 6-1 (Shoreline Use Matrix) of the City of Shelton Shoreline Master Program (2013) is hereby amended as follows:

A new use, "Floating, on-water Residences" is added and specifically indicated to be not allowed in any use zone (indicated with an "X" in all zones).

Section 5. Chapter 7, Administration, of the City of Shelton Shoreline Master Program (2013) is hereby amended as follows:

Section 7.1, General Provisions, is amended to add new numbers 8 and 9 as follows:

8. Special Procedures for WSDOT projects.
 - a. Permit review time for projects on a state highway. Pursuant to RCW 47.01.485, the Legislature established a target of 90 days review time for local governments.
 - b. Optional process allowing construction to commence twenty-one days after date of filing. Pursuant to RCW 90.58.140, Washington State Department of Transportation projects that address significant public safety risks may begin twenty-one days after the date of filing if all components of the project will achieve no net loss of shoreline ecological functions.
9. The City of Shelton may grant relief from Shoreline Master Program Development standards and use regulations resulting from shoreline restoration projects within urban growth areas consistent with the procedures in WAC 173-27-215.

Section 7.2.2, City Commission, is amended to replace “Commission” with “Council” in all locations.

Section 7.5, Notification to Ecology and the Attorney General, is amended as follows:

1. The Shoreline Administrator shall notify Ecology and the Attorney General of any statement of exemption, substantial development, conditional use or variance permit decisions made by the Shoreline Administrator (or Hearings Examiner when required), whether it is an approval or denial. The notification shall occur after all local administrative appeals related to the permit have concluded or the opportunity to initiate such appeals has lapsed. When a substantial development permit and either conditional use or variance permit are required for a development, the submittal of the permits shall be made concurrently. The Shoreline Administrator shall file the following with Ecology and the Attorney General using return receipt requested mail:

Section 7.6, Ecology Review, is amended as follows:

1. After all local permit administrative appeals or reconsideration periods are complete and the permit documents are amended to incorporate any resulting changes, the City of Shelton will mail the permit using return receipt requested mail to the Department of Ecology regional office and the Office of the Attorney General in the form identified in Section 7.5, above. Projects that require Conditional Use Permit and/or Variance requests shall be mailed simultaneously with any Substantial Development Permit(s) for the project.
 - a. Consistent with RCW 90.58.140(6), the state's Shorelines Hearings Board twenty-one (21) day appeal period starts with the date of filing, which is defined below:
 - i. For projects that only require a Substantial Development Permit: the date that Ecology receives the decision from the City of Shelton.
 - ii. For a Conditional Use Permit (CUP) or Variance: the date that Ecology's decision on the CUP or Variance is transmitted to the applicant and the City of Shelton.
 - iii. For Substantial Development Permits simultaneously mailed with a CUP or Variance to Ecology: the date that Ecology's decision on the CUP or Variance is transmitted to the applicant and the City of Shelton.

Section 7.10, Master Program Review, is amended as follows:

1. This Master Program shall be periodically reviewed and adjustments shall be made as are necessary to reflect changing local circumstances, new information or improved data, and changes in state statutes and regulations.
2. This review process shall be consistent with RCW 90.58.050 and WAC 173-26-090 requirements and shall include a local citizen involvement effort and public hearing to obtain the views and comments of the public.

Section 7.11, Amendments to Master Program, is amended as follows:

1. Any of the provisions of this Master Program may be amended as provided for in WAC 173-26-100, 104, 110, and 120. Amendments or revisions to the Master Program, as provided by law, do not become effective until approved by the Washington State Department of Ecology.
2. Proposals for shoreline environment redesignations (i.e., amendments to the shoreline maps and descriptions) must demonstrate consistency with

the criteria set forth in Shoreline Environment Designation Criteria and the Shelton Comprehensive Plan.

Section 5. Chapter 8, Definitions, of the City of Shelton Shoreline Master Program (2013) is hereby amended to alter the definition of “Development” as follows:

Development – An activity consisting of the construction or exterior alteration of structures; dredging; drilling; dumping; filling; removal of any sand, gravel, or minerals; bulkheading; driving of piling; placing of obstructions; or any project of a permanent or temporary nature which interferes with the normal public use of the surface of the waters of the state subject to the Shoreline Management Act of 1971 at any state of water level (RCW 90.58.030(3)(a)). “Development” does NOT include projects that only involve dismantling or removing structures without any associated development or redevelopment.

Severability. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared unconstitutional or invalid for any reason, such invalidity shall not affect the validity or effectiveness of the remaining portions of this ordinance.

Effective Date. This ordinance concerns powers vested solely in the Council as a legislative entity and shall take effect five days after passage as provided by law

INTRODUCED by the City Council of the City of Shelton, Mason County, Washington on the 15th day of June 2021.

ADOPTED by the City Council of the City of Shelton, Mason County, Washington at a regular open public meeting held the 6th day of July 2021.

ATTEST:

Mayor Dorcy

City Clerk



**CITY OF SHELTON
COUNCIL BRIEFING REQUEST
(Agenda Item G2)**

Touch Date: 06/10/2021
Brief Date: 07/06/2021
Action Date: 07/06/2021

Department: Executive
Presented By: Donna Nault

APPROVED FOR COUNCIL PACKET:

Action Requested:

ROUTE TO:

REVIEWED:

- ☒ Dept. Head _____
- ☐ Finance Director _____
- ☐ Attorney _____
- ☒ City Clerk _____
- ☐ City Manager _____

PROGRAM/PROJECT TITLE:
LTAC Event – Change in venue

ATTACHMENTS:
Letter from Kristmas Town Kiwanis

- ☐ Ordinance
- ☐ Resolution
- ☒ Motion
- ☐ Other

DESCRIPTION OF THE PROGRAM/PROJECT AND BACKGROUND INFORMATION:

Bluegrass from the Forest is normally held at Shelton High School's Performing Arts Center. The venue is not available this year due to construction on the high school campus. The South Mason Youth Soccer organization has agreed to host the event on September 10th - 12th. Because the soccer park is located less than a mile from city limits, the amount of time and money spent in local hotels and retail establishments should not change.

ANALYSIS/OPTIONS/ALTERNATIVES:

The only alternative is to cancel the event.

BUDGET/FISCAL INFORMATION:

N/A

PUBLIC INFORMATION REQUIREMENTS:

N/A

STAFF RECOMMENDATION/MOTION:

Staff recommends: "I move to approve the location change request for Bluegrass from the Forest to South Mason Youth Soccer Park on Johns Prairie Road."



June 9, 2021

Shelton City Council
525 West Cota St.
Shelton, WA 98584

Shelton City Council,

Kristmas Town Kiwanis was generously awarded funds in support of marketing efforts to promote the 2021 Bluegrass from the Forest from lodging tax funds on October 20, 2020. The club appreciates the Council and committee's continued support of this community event.

As with many of the local events in 2020-2021, contingency plans have developed to accommodate Covid-19 restrictions and Bluegrass in 2021 is no different. The traditional location, Shelton High School Performing Arts Center, is unavailable for non-school district functions and the construction of the new Mechanical Engineering and Technology Building has diminished the available space for RV camping and parking necessitating a change of venue.

The South Mason Youth Soccer organization has graciously agreed to host the event September 10-12. Although this will now be an outdoor event, we anticipate the same diehard bluegrass lovers from all over the northwest, and country, to attend as in previous years. Located less than 1 mile from the Shelton City limits we don't foresee this changing the amount of time and money spent in local hotels and retail establishments by our out of town visitors.

Kristmas Town Kiwanis respectfully requests the Shelton City Council amend the lodging tax funds contract to reflect the change of location for the 2021 Bluegrass from the Forest event from Shelton High School, 3737 Shelton Springs Rd to South Mason Youth Soccer Park, 2102 E Johns Prairie Rd.

Sincerely,

Leroy Valley, President

Kristmas Town Kiwanis
PO Box 777
Shelton, WA 98584