

SHORELINES MASTER PROGRAM AMENDMENT

CITY OF DUPONT

ORDINANCE NO. 387

AN ORDINANCE, adopting a map and text amendment to the City of DuPont Shorelines Master Program designating that portion of the proposed annexation area that lies within the shoreline environment a Conservancy environment.

WHEREAS, on January 31, 1989, pursuant to RCW 35A.14.120, Lone Star Northwest ("Lone Star"), as record owner of not less than 10% in assessed value of the property proposed for annexation, submitted a Notice of Intention to Petition for Annexation of approximately 184.2 acres plus adjacent tidelands lying contiguous to the northwest boundary of the City of DuPont (the "Subject Property"), a portion of which lies within the shoreline environment of the City's Shorelines Master Program; and

WHEREAS, on February 8, 1989, the City of DuPont adopted Resolution No. 121, accepting Lone Star's Notice of Intention, authorizing preparation of an annexation petition; and

WHEREAS, by letter dated February 8, 1989, Lone Star formally submitted a Petition for Annexation and requested that the City Council adopt a shoreline designation for the Subject Property; and

WHEREAS, WAC 173-19-044 authorizes local government to amend the shoreline master program in the event of annexation to include a shoreline area; and

WHEREAS, environmental review of this action pursuant to the State Environmental Policy Act, RCW 43.21C, has been completed through preparation of an expanded environmental checklist and issuance of a determination of nonsignificance ("DNS"); and

WHEREAS, the Planning Agency, after giving notice, holding a public hearing, and considering environmental documents and the comments presented at the public hearing, recommended that the Subject Property lying within the shorelines environment be designated a Conservancy environment; and

WHEREAS, after giving notice, the City Council held a public hearing on the proposed Shorelines Master Program amendment, pursuant to WAC 173-19-061; and

WHEREAS, the City Council has considered the recommendation of the Planning Agency, environmental documents and DNS, and the comments presented at the public hearing; and

WHEREAS, the City Council finds that amending the map and text of the City's Shorelines Master Program to designate the shoreline environment of the Subject Property a Conservancy environment is consistent with RCW ch. 90.58 and would serve the health, safety, and general welfare of the citizens of the City of DuPont by encouraging the most appropriate use of land throughout the Subject Property.

NOW, THEREFORE, be it ordained as follows:

1. A proposed Shorelines Master Program map and text amendment is hereby adopted establishing a classification of

Conservancy environment, as set forth in the City of DuPont Shorelines Master Program, for the shoreline environment of the property legally described in Exhibit A and shown on Exhibit B, attached hereto and incorporated herein by reference.

2. The City Clerk is hereby directed to file a copy of this Ordinance with the Department of Ecology ("DOE") pursuant to RCW 90.58.190 and WAC 173-19-062.


3. The text and map of the City of DuPont Shorelines Master Program is amended, subject to DOE approval, to show a shoreline classification of Conservancy for the Subject Property.

4. The proposed Shorelines Master Program amendment shall become effective upon approval by DOE, and upon the annexation of the property legally described in Exhibit A and shown on Exhibit B. If any part of the property is annexed, the proposed Shorelines Master Program amendment shall become effective as to that part of the property annexed.

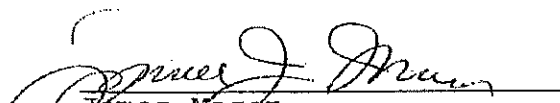
DATED this 14 day of ^{June}~~May~~, 1989.


Mayor Mark Jackson

ATTEST:


Clerk-Treasurer

APPROVED AS TO FORM:


James Mason
City Attorney

007342.M224

EXHIBIT A

ESM inc.



A CIVIL ENGINEERING, LAND SURVEY, AND PROJECT MANAGEMENT CONSULTING FIRM
400-01-884/Lonestar
January 20, 1989

LEGAL DESCRIPTION FOR ANNEXATION TO THE CITY OF DUPONT

PARCEL A -- Owned by Lonestar Northwest in Pierce County, Washington:

In Township 19 North, Range 1 East of W.M.:

Section 14: The Southwest quarter of the Southwest quarter (SW 1/4 of SW 1/4).

The Southeast quarter of the Southwest quarter (SE 1/4 of SW 1/4):

Government lot 3 and Government lot 4, except: Those portions conveyed to Northern Pacific Railway Company by deeds recorded under Auditor's File Nos: 309855 and 385162.

TOGETHER WITH all tidelands of the second class abutting thereon to the line of extreme low tide.

Section 15: Government lot 1, except: Those portions conveyed to Northern Pacific Railway Company by deeds recorded under Auditor's File Nos. 309855 and 385162.

TOGETHER WITH all tidelands of the second class abutting thereon to the line of extreme low tide.

Section 22: Government lot 1 except that portion lying South of the North 600 feet thereof and those portions conveyed to Northern Pacific Railway Company by deeds recorded under Auditor's File Nos. 309855 and 385162.

TOGETHER WITH all tidelands of the second class abutting thereon to the line of extreme low tide.

PARCEL B -- Owned by Burlington Northern Railway Co. in Pierce County, Washington:

In Township 19 North, Range 1 East of W.M.:

Section 14: Those portions lying within Government lot 3, Government lot 4 and the Southwest quarter of the Southwest quarter conveyed to Northern Pacific Railway Company by deeds recorded under Auditor's File Nos. 309855 and 385162.

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Page Two









Section 15: Those portions lying within Government Lot 1 conveyed to Northern Pacific Railway Company by deeds recorded under Auditor's File Nos. 309855 and 385162.

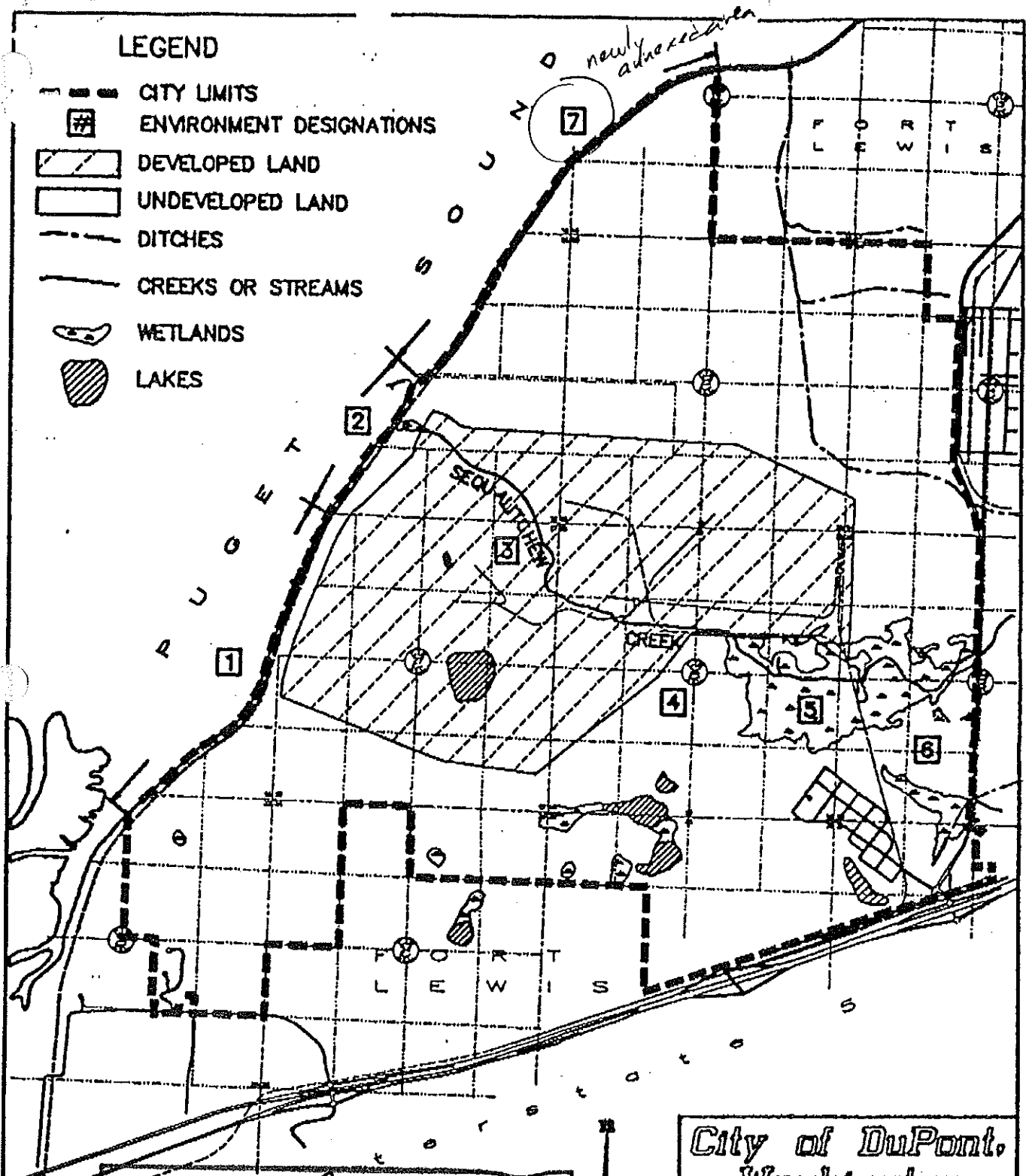
Section 22: Those portions lying within the North 600 feet of Government Lot 1 conveyed to Northern Pacific Railway Company by deeds recorded under Auditor's File No. 309855 and 385162.

See Attached Exhibit "B"


lg:123

LEGEND

-  CITY LIMITS
-  ENVIRONMENT DESIGNATIONS
-  DEVELOPED LAND
-  UNDEVELOPED LAND
-  DITCHES
-  CREEKS OR STREAMS
-  WETLANDS
-  LAKES



ADOPTED BY:
 WA STATE DEPARTMENT OF ECOLOGY
 10/31/89



SCALE: 1" = 2500'

**City of DuPont,
 Washington**

SHORELINE ENVIRONMENTS

*shows entire city
 with newly annexed
 areas # 7*




ESM Inc.
 841 POWELL AVENUE S.W., SUITE 100
 REATON, WASHINGTON 98048
 PHONE: (206) 226-6828

EXHIBIT "B"

LEGEND

AREA TO BE ANNEXED TO THE CITY OF DUPONT:

 - OWNED BY LONE STAR

 - OWNED BY BURLINGTON NORTHERN

