

The following changes are proposed alternatives from the City of Olympia; City of Olympia Shoreline Master Program, adopted October 2, 2013 by Resolution No. M1797, conditionally approved by Ecology on April 22, 2015 and response letter from City dated August 21, 2015.

ITEM	SMP PROVISION	TOPIC	Bill Format Changes [<u>underline-additions;</u> strikethrough-deletions]	ECOLOGY - DISCUSSION/RATIONALE	ALTERNATIVE SUGGESTED BY OLYMPIA [<u>DOUBLE UNDERLINE</u> – ADDITIONS; STRIKETHROUGH – DELETIONS]	FINAL ACCEPTED CHANGE AND ECOLOGY RATIONALE
TT	Chapter 3.80 (A) Page 87	Existing Buildings and Uses within Shorelines	A. Subject to the provisions of this Chapter, a use, lot, or structure lawfully existing prior to the effective date of this Shoreline Program that chapter or any amendment thereto, which is rendered nonconforming may continue and may also be repaired, remodeled, and/or restored in the manner and to the extent that it existed upon the effective date of this Shoreline Program the relevant ordinance .	<i>This change is required in accordance with WAC 173-26-191(2)(a)(ii)(A); this provision must clearly outline it is referring to the effective date of this SMP. "This chapter" and "the relevant ordinance" are vague and indistinct.</i>	A. Subject to the provisions of this Chapter, a use, lot, or structure lawfully existing prior to the effective date of this Shoreline Program or any amendment thereto, which is rendered nonconforming by this Shoreline Program may continue and may also be repaired, remodeled, and/or restored in the manner and to the extent that it existed upon the effective date of this Shoreline Program.	<i>The language in the cell to the left incorporates Ecology's required change, and proposes one additional refinement. Ecology supports the proposed alternative language. The nonconforming provisions in Olympia's zoning code differ from those in the SMP; the City's proposed alternative language further emphasizes that this provision is only with respect to the Shoreline Program. This alternative is of a clarifying nature, and remains consistent with the purpose and intent of Ecology's original changes, the scope of the locally adopted SMP, RCW 90.58 and WAC 173-26.</i>
UU	Chapter 3.81 (A) Page 88	Alteration of Structures in the Shoreline	4. Alteration of structures located landward of the ordinary high water mark within a required vegetation conservation area (VCA) that include expansion of the building footprint shall not be permitted. Interior and exterior remodels and the addition of upper stories are permitted.	<i>This change is required in accordance with WAC 173-26-191(2)(a)(ii)(A), for consistency with OMC 18.34.493.</i>	4 3. Structures within Vegetation Conservation Areas. Alteration of structures located landward of the ordinary high water mark within a required vegetation conservation area (VCA) that include expansion of the building footprint shall not be permitted is prohibited. Only interior and exterior remodels and the addition of upper stories are permitted.	<i>The language in the cell to the left incorporates Ecology's required change, and proposes additional clarifications. Ecology supports the City's proposed alternative language, which is intended to emphasize the prohibition. This language is of a clarifying nature and remains consistent with the purpose and intent of Ecology's original changes, the scope of the locally adopted SMP, RCW 90.58 and WAC 173-26. See also Attachment C (addendum) item OOO, which results in this provision being #3 instead of #4.</i>