

ORDINANCE No. 120827

COUNCIL BILL No. 114188

The City

AN ORDINANCE relating to the Department of Parks and Recreation and animal control; amending Section 18.12.080B 3 Exhibit J of the Seattle Municipal Code to modify the shoreline portion of the designated off-leash area at Sand Point Magnuson Park.

Honorable President
Your Committee on _____

to which was referred the within Council report that we have considered the same

COMPTROLLER FILE No.

Introduced: MAY 28 2002	By: STEINBRUECK
Referred: MAY 28 2002	To: Parks, Education & Library Committee
Referred:	To:
Referred:	To:
Reported: 6-17-02	Second Reading:
Third Reading: 6-17-02	Signed: 6-17-02
Presented to Mayor: 6-18-02	Approved: 6/18/02
Returned to City Clerk: 6/23/02	Published: full app
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

~~38~~ 3-0

6-17-02 Passed 7

Law Department

Peter Steinbrueck

The City of Seattle--Legislative Department

REPORT OF COMMITTEE

Date Reported
and Adopted

able President:

Committee on

ch was referred the within Council Bill No.

that we have considered the same and respectfully recommend that the same:

(E/B)

3-0 JD, IN, PS AS AMENDED

7-02 Passed 7-0 (Excused: Steinbrueck, Willis)

Department

Committee Chair

(V)

*Separate
from the
file roll
map
to file roll*

ORDINANCE 120827

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2
3
4 AN ORDINANCE relating to the Department of Parks and Recreation and animal control;
5 amending Section 18.12.080B 3 Exhibit J of the Seattle Municipal Code to modify
6 the shoreline portion of the designated off-leash area at Sand Point Magnuson Park.

7
8 WHEREAS, in November 1999, following an extensive public process, the City Council
9 adopted the Magnuson Park Conceptual Design (Resolution 30063) which identifies
10 the preferred location and boundaries of both the upland and the shoreline portions of
11 the Magnuson Park Off-Leash Area; and

12
13 WHEREAS, Seattle voters approved the Neighborhood Parks, Green Spaces, Trails, and
14 Zoo Levy (2000 Parks Levy) in November 2000, which included \$700,000 for
15 improvements to the Magnuson Park Off-Leash Area including, in the shoreline area,
16 a shelter, pathway lighting, potable water, shoreline improvements, an improved trail
17 and fencing; and

18
19 WHEREAS, the City Council approved the upland boundaries of the Magnuson Park Off-
20 Leash Area by Ordinance 120594 in October, 2001; and

21
22 WHEREAS, on February 15, 2002, the Superintendent of the Department of Parks and
23 Recreation determined that no significant environmental impacts were likely to occur
24 as a result of the change in boundaries and related improvements to the shoreline
25 portion of the Magnuson Park Off-Leash Area, and on February 15, 2002, issued a
26 Determination of Non-Significance (DNS) that was not appealed; and

27
28 WHEREAS, the Department of Parks and Recreation is currently working with a consultant
29 team to complete the applications for required federal, state, and local permits for
30 physical improvements to the shoreline portion of the off-leash area and codifying
31 the Council's preferred location and boundaries of the shoreline portion ensures that
32 the proper boundaries for the existing off-leash area are clearly delineated in the
33 permit application materials; and

34
35 WHEREAS, this ordinance is now needed to modify the boundaries of the shoreline portion
36 of the Magnuson Park Off-Leash Area (OLA) as contained as an exhibit to the Parks
37 and Recreation section of the Seattle Municipal Code; and

38
39 WHEREAS, the map attached to this ordinance reflects the Council's intent as expressed in
40 Resolution 30063 including 175 feet of shoreline access.

41
42 **NOW THEREFORE,**

43
44 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

45
46 Section 1. Section 18.12.080B 3 of the Seattle Municipal Code is amended to read
47 as follows:



3. That portion of Magnuson Park depicted on Exhibit 18.12.080 (((Revision 1)))J ((Revision 2)); ((until title to that portion of the Navy property at Sand Point intended for parks and recreation purposes is transferred to the City and the use plan for that portion of the property has been completed and adopted))

Section 2. Exhibit 18.12.080 J (Revision 1) of Section 18.12.080B 3 of the Seattle Municipal Code is hereby replaced with Attachment A to this ordinance, which is to be labeled Exhibit 18.12.080 J (Revision 2).

Section 3. Any act consistent with the authority and prior to the effective date of this ordinance, is hereby ratified and confirmed.

Section 4. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 17th day of June, 2002, and signed by me in open session in authentication of its passage this 17th day of June, 2002.

[Signature]
Pro Tem President of the City Council

Approved by me this 25 day of June, 2002.

[Signature]
Mayor

Filed by me this 25th day of June, 2002.

[Signature]
City Clerk

(SEAL)

Attachment A: Exhibit 18.12.080 J (Revision 2)





City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

April 23, 2002

Honorable Peter Steinbrueck
President,
Seattle City Council
Municipal Building, 11th Floor

Dear Council President Steinbrueck:

I am transmitting the following ordinance for Council consideration.

This ordinance modifies the boundaries of the shoreline portion of the Magnuson Park Off-Leash Area (OLA). In November 1999, the City Council approved Resolution 30063, which adopted the Magnuson Park Conceptual Design, which delineates the preferred boundaries for the OLA. This ordinance is necessary to legalize the new OLA boundary. Following approval of the Magnuson Park Conceptual Design, the Department began working closely with a group of citizens interested in the development of the off-leash area. A workshop was held on March 25, 2000, to gather public comment on the proposed improvements. On October 18, 2001, another public meeting was held to gather comments, specifically, on proposals for the shoreline portion of the OLA. On February 15, 2002, the Seattle Department of Parks and Recreation issued a SEPA Determination of Non-Significance (DNS) covering improvements and changes to the boundary of the shoreline portion of the off-leash area. The DNS was not appealed. Completion of the SEPA review process clears the way for changing the OLA boundaries and submitting applications to the various agencies required for completing improvements along the Lake Washington shoreline. An ordinance changing the boundaries of the upland portion of the OLA was approved by the City Council in 2001.

Thank you for your consideration of this legislation. Should you have questions please contact Eric Friedli at (206) 684-8369.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gregory J. Nickels', written over a faint, larger version of the same signature.

GREG NICKELS
Mayor of Seattle

Att: A: Exhibit 18.12.080 J (Revision 2)
cc/att: Ken R. Bounds, Seattle Department of Parks and Recreation
Marilynne Gardener, Seattle Department of Finance
Sarah Welch, Seattle Department of Parks and Recreation



ORDINANCE

AN ORDINANCE relating to the Department of Parks and Recreation and animal control; amending Section 18.12.080B 3 Exhibit J of the Seattle Municipal Code to modify the shoreline portion of the designated off-leash area at Sand Point Magnuson Park.

WHEREAS, in November 1999, following an extensive public process, the City Council adopted the Magnuson Park Conceptual Design (Resolution 30063) which identifies the preferred location and boundaries of both the upland and the shoreline portions of the Magnuson Park Off-Leash Area; and

WHEREAS, Seattle voters approved the Neighborhood Parks, Green Spaces, Trails, and Zoo Levy (2000 Parks Levy) in November 2000, which included \$700,000 for improvements to the Magnuson Park Off-Leash Area including, in the shoreline area, a shelter, pathway lighting, potable water, shoreline improvements, an improved trail and fencing; and

WHEREAS, on February 15, 2002, the Superintendent of the Department of Parks and Recreation determined that no significant environmental impacts were likely to occur as a result of the change in boundaries and related improvements to the shoreline portion of the Magnuson Park Off-Leash Area, and on February 15, 2002, issued a Determination of Non-Significance (DNS) that was not appealed; and

WHEREAS, the Department of Parks and Recreation is currently working with a consultant team to complete the applications for required federal, state, and local permits for physical improvements to the shoreline portion of the off-leash area; and

WHEREAS, this ordinance is now needed to modify the boundaries of the shoreline portion of the Magnuson Park Off-Leash Area (OLA);

NOW THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 18.12.080B 3 of the Seattle Municipal Code is amended to read as follows:

3. That portion of Magnuson Park depicted on Exhibit 18.12.080 ((~~Revision 1~~))J ((Revision 2)); ((~~until title to that portion of the Navy property at Sand Point intended for parks and recreation purposes is transferred to the City and the use plan for that portion of the property has been completed and adopted~~))



Section 2. Exhibit 18.12.080 J (Revision 1) of Section 18.12.080B 3 of the Seattle Municipal Code is hereby replaced with Attachment A to this ordinance, which is to be labeled Exhibit 18.12.080 J (Revision 2).

Section 3. Any act consistent with the authority and prior to the effective date of this ordinance, is hereby ratified and confirmed.

Section 4. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the ____ day of _____, 2002, and signed by me in open session in authentication of its passage this ____ day of _____, 2002.

President of the City Council

Approved by me this ____ day of _____, 2002.

Mayor

Filed by me this ____ day of _____, 2002.

City Clerk

(SEAL)

Attachment A: Exhibit 18.12.080 J (Revision 2)



STATE OF WASHINGTON – KING COUNTY

--SS.

146831
City of Seattle, Clerk's Office

No. ORDINANCE IN FULL

Affidavit of Publication

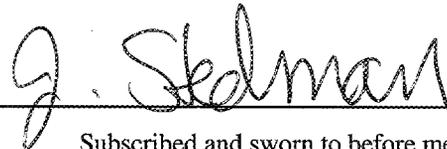
The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:120827/ORD IN FULL

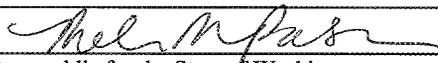
was published on

7/1/2002

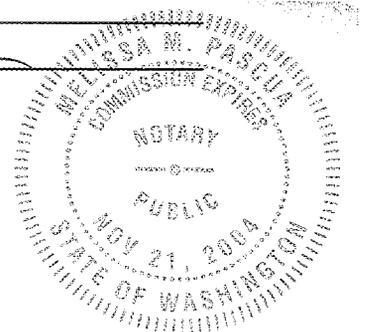


Subscribed and sworn to before me on

7/2/2002


Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication



State of Washington, King County

City of Seattle

ORDINANCE 120827

AN ORDINANCE relating to the Department of Parks and Recreation and animal control, amending Section 18.12.080B 3 Exhibit J of the Seattle Municipal Code to modify the shoreline portion of the designated off-leash area at Sand Point Magnuson Park.

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WHEREAS, the City Council approved the upland boundaries of the Magnuson Park Off-Leash Area by Ordinance 120594 in October, 2001; and

WHEREAS, on February 15, 2002, the Superintendent of the Department of Parks and Recreation determined that no significant environmental impacts were likely to occur as a result of the change in boundaries and related improvements to the shoreline portion of the Magnuson Park Off-Leash Area, and on February 15, 2002, issued a Determination of Non-Significance (DNS) that was not appealed; and

WHEREAS, the Department of Parks and Recreation is currently working with a consultant team to complete the applications for required federal, state, and local permits for physical improvements to the shoreline portion of the off-leash area and codifying the Council's preferred location and boundaries of the shoreline portion ensures that the proper boundaries for the existing off-leash area are clearly delineated in the permit application materials; and

WHEREAS, this ordinance is now needed to modify the boundaries of the shoreline portion of the Magnuson Park Off-Leash Area (OLA) as contained as an exhibit to the Parks and Recreation section of the Seattle Municipal Code; and

WHEREAS, the map attached to this ordinance reflects the Council's intent as expressed in Resolution 30063 including 175 feet of shoreline access.

NOW THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 18.12.080B 3 of the Seattle Municipal Code is amended to read as follows:

3. That portion of Magnuson Park depicted on Exhibit 18.12.080 ((Revision 1))J ((Revision 2)); (until title to that portion of the property at Sand Point intended for parks and recreation purposes is transferred to the City and the use plan for that portion of the property has been completed and adopted)

Section 2. Exhibit 18.12.080 J (Revision 1) of Section 18.12.080B 3 of the Seattle Municipal Code is hereby replaced with Attachment A to this ordinance, which is to be labeled Exhibit 18.12.080 J (Revision 2).

Section 3. Any act consistent with the authority and prior to the effective date of this ordinance, is hereby ratified and confirmed.

Section 4. This ordinance shall take effect and be in force thirty (30) days from and after