

## City Council SMP Process Steps

June 28, 2012

1. **May 1, 2012: Planning Commission Transmittal Meeting:** Planning Commission provides high level overview of their recommendations to City Council. The presentation focuses on identifying for City Council where there was Planning Commission consensus and agreement and which items were not resolved. Staff provides City Council with a summary of major amendments to the Draft SMP as recommended by the Planning Commission, together with position statements from individual Planning Commission members. Staff in cooperation with the Department of Ecology provides a briefing on the legal foundations and guidance for the SMP in the SMA, WAC and relevant case law.
2. **June 19, 2012 - City Council Review of Transmittal:** An opportunity for City Council members to ask Commissioners about their recommendations collectively and individually in order for council to better understand alternative positions presented by the Planning Commission. OPC Chair facilitates Commission responses and presentations.

Transmittal documents include:

- SMP draft from Commission's public hearing, Planning Commission draft SMP, background reports, Ecology Guidelines, briefing papers, and complete record of Planning Commission proceedings.
- Staff-prepared matrix or summary of the Planning Commission position papers.
- List of unresolved issues for Council consideration.

**July 28<sup>th</sup>, 2012 Workshop**

Based on the feedback provided from City Council at the June 19<sup>th</sup> City Council Study Session on the Shoreline Master Program, the Land Use and Environment Committee considered what the next step in council's SMP process should be. They agreed that there should be at least two workshops. The first would create a framework or common understanding of the shoreline and associated issues and the second would be a discussion about those issues and different approaches to addressing them. They felt that staff should use the unresolved issues as identified in Council's June 19<sup>th</sup> SMP Agenda item (Attachment 3) as a rough outline for the first workshop and subsequent meetings.

This first workshop would primarily focus on creating a common understanding of the issues, geography, natural and built environments along the shoreline. It would explore the science, where science exists, and further the understanding of the Shoreline Management Act and the Department of Ecology's Shoreline Master Program guidance. They envisioned using the City's geographic information system (GIS) capacity to begin to understand the existing geography and the built and natural environment along the shoreline and to illustrate impacts and alternatives.

RCW 98.58.100 of the Shoreline Management Act would seem to encourage this approach to developing a Shoreline Master Program. It states, "In preparing the master programs, and any amendments thereto, the department and local governments shall to the extent feasible:

- a) Utilize a systematic interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts;
- b) Consult with and obtain the comments of any federal, state, regional, or local agency having any special expertise with respect to any environmental impact;
- c) Consider all plans, studies, surveys, inventories, and systems of classification made or being made by federal, state, regional, or local agencies, by private individuals, or by organizations dealing with pertinent shorelines of the state;

- d) Conduct or support such further research, studies, surveys, and interviews as are deemed necessary;
- e) Utilize all available information regarding hydrology, geography, topography, ecology, economics, and other pertinent data;
- f) Employ, when feasible, all appropriate, modern scientific data processing and computer techniques to store, index, analyze, and manage the information gathered.”

The workshop would start with staff and other experts providing council with a series of short briefings (10 to 20 minutes depending on the topic) with the objective of highlighting the background information that has been prepared and used in developing the Planning Commission recommendation and what new information has emerged out of or during this process. Two hours would be reserved for these briefings. They would touch on the following topics:

1. **Shoreline Environment Designations** - Issues pertain to appropriate reach designations along West Bay, Percival Landing and East Bay (between Urban Conservancy and Urban Intensity). *Baseline information -- the DOE guidance, the Shoreline Characterization and the City's GIS develop an understanding of the designations proposed by the PC, the impacts and the alternatives.*
2. **Setbacks** - Issues revolve around desired depth of setbacks along West Bay, Downtown and East Bay for commercial, residential and recreation. *Baseline information -- the DOE guidance, the Shoreline Characterization and the City's GIS develop an understanding of the setbacks proposed by the PC, the impacts (including nonconformities created) and alternatives.*
3. **Building Heights** - Issues pertain to whether heights should be reduced to protect views along West Bay, Downtown and East Bay, what heights create the appropriate scale adjacent to the water front and what is the appropriate degree of intensity and density along the waterfront. *Baseline information - use the City's GIS to develop an understanding of the height regulations proposed by the PC, the impacts (including nonconformities created) and alternatives.*
4. **Sea Level Rise** - Issues revolved around whether sea level rise should be addressed as part of the SMP update or as part of other City initiatives. *Baseline information -- develop an understanding of the potential impacts of sea level rise on the shoreline and on downtown and how these impacts may be addressed. Begin to consider how this information impacts the Shoreline Master Program update.*
5. **Vegetation Conservation** - Standards for residential development were not addressed prior to completion of the Planning Commission's deliberations.

*Baseline information -- use the DOE guidance, the Shoreline Characterization, Shoreline Restoration Plan, sea level rise information and the City's GIS to develop an understanding of the vegetation conservation regulations proposed by the PC, the impacts and the alternatives.*

These presentations would occupy the first two hours of the workshop. Presentations would be brief (10 to 20 minutes), would feature maps and graphics and would allow time for council to ask clarifying questions and identify areas where additional information or other alternatives are needed. Presentations would focus on creating a clear understanding of the existing circumstances along the shoreline, identify the impacts of different regulatory alternatives, identify ownership and development status, identify key environmental information and such other information that will help City Council more fully understand the existing shoreline environment, regulatory approaches, impacts and potential alternatives.

The last hour would be set aside for an interactive shoreline exercise. The Washington Administrative Code (WAC) states, "The act's policy of protecting ecological functions, fostering reasonable utilization and maintaining the public right of navigation and corollary uses encompasses the following general policy goals for shorelines of the state." The Act emphasizes accommodation of appropriate uses that require a shoreline location, protection of shoreline environmental resources and protection of the public's right to access and use the shorelines (RCW 90.58.020). The overarching environmental goal of the act is to ensure no net loss of ecological function while maintaining the public's right to access the shoreline and the right of water dependent uses to continue.

The WAC recognizes that there are conflicts inherent in the process, stating "The policy goals for the management of shorelines harbor potential for conflict". The Land Use and Environment Committee discussed a process that requires participants to take into consideration the various and competing interests that are inherently part of the Shoreline Management Act and will be part of the City of Olympia's Shoreline Master Program. They envisioned a process similar to the Land Use Game that TRPC used for its Sustainable Thurston County Workshops - a process that

encourages parties to communicate with, understand and learn from one another. This initial interaction would set the stage for the Council's second workshop.

### **Workshop II**

The second workshop would continue the conversation started on the July 28<sup>th</sup>. It would focus on understanding the different interests that intersect at the shoreline and on finding the common ground to address the conflicts that those interests may represent. It would provide an opportunity for people with different interests to talk together and to present their positions to City Council.

### **Workshop III**

Possible future workshop involving affected governmental interests including the Port, LOTT, State and Squaxin Island Tribe.

### **Future Council Deliberations and Public Hearings:**

Following the summer's workshops:

1. **XXXX, 2012 - Council Study Session:** Council provides staff with feedback and direction about important observations, learning and directions following workshops.
2. **XXXX, 2012 --- SMP Tour Information:** Finalize maps and location narratives for a self-guided tour of Olympia's shorelines including all lakes, streams, and Budd Inlet.
3. **XXXX, 2012 ---Final Draft SMP:** Based on all information to-date, staff issues proposed SMP\* for Council's consideration.
4. **XXXX, 2012 - Council Process Deliberation(s):** Staff provides overview of Final Draft, receives feedback from council regarding final draft and direction on whether to schedule a public hearing or provide for additional review and

deliberation opportunities. When council is satisfied with the draft they direct staff to schedule a public hearing.

5. XXXX, 2012, - **Council Public Hearing:** Council conducts public hearing and provides further direction to staff.
6. XXXX, 2012 - Final deliberation and action to provide staff direction regarding any final revisions.
7. XXXX, 2012 - Adopt SMP and Transmit to the Department of Ecology.

*\*Proposed SMP* would be a staff-prepared draft incorporating Planning Commission recommendations, addressing elements where no specific Commission-majority alternative was provided, other issues raised by the public at the workshop, and consideration of costs of administration, clarity, and consistency with the SMA or Ecology guidelines. To the extent possible, any recommendations of Commission members not incorporated would be presented as alternatives for Council's consideration.