

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF OLYMPIA, WASHINGTON ACCEPTING THE OCTOBER 1, 2013 SHORELINE MASTER PROGRAM AND OTHER ASSOCIATED PLANS, REGULATIONS AND DOCUMENTS FOR TRANSMITTAL TO THE WASHINGTON STATE DEPARTMENT OF ECOLOGY.

WHEREAS, the state of Washington Shoreline Management Act (Chapter 90.58 RCW) finds that the shorelines of the state are among the most valuable and fragile of our natural resources; and

WHEREAS, the Shoreline Management Act requires that local governments prepare and the State adopt Shoreline Master Programs (SMPs) for designated shorelines of the State; and

WHEREAS, the City of Olympia is one of seven local governments in Thurston County that currently relies upon the policies and regulations found within the 1990 regional SMP; and

WHEREAS, in 2003, the Washington State Department of Ecology (Ecology) adopted new SMP guidelines (WAC 173 – 26) that require that all local jurisdictions review and update their SMPs on a periodic basis; and

WHEREAS, Ecology is required to review and adopt those local SMPs which meet the guidelines; and

WHEREAS, Ecology provided a grant to Thurston Regional Planning Council (TRPC) to work with the cities of Olympia, Lacey and Tumwater in a multi-jurisdictional effort from 2007 to 2009 to develop a Shoreline Inventory, Shoreline Analysis and Characterization Report and a template SMP; and

WHEREAS, the Olympia planning staff presented this template SMP to the Planning Commission in January of 2010 and used this template SMP to develop an Olympia Draft Shoreline Master Program Update through workshops, briefings and deliberations conducted throughout 2010; and

WHEREAS, in November of 2010 planning staff presented the Olympia Planning Commission with an Olympia Draft Shoreline Master Program Update and held two public hearings on November 15, 2010 and January 10, 2011, on this document; and

WHEREAS, the Planning Commission considered all testimony and evidence presented before they concluded their deliberations and forwarded recommendations on the Olympia Draft Shoreline Master Program Update on May 1, 2012; and

WHEREAS, the Attorney General Advisory Memorandum: Avoiding Unconstitutional Takings of Private Property (December 2006) was reviewed and utilized by the City in objectively evaluating the SMP; and

WHEREAS, the City of Olympia forwarded the SMP to the Washington State Department of Commerce for review on November 1, 2012, as required RCW 36.70A.106; and

WHEREAS, a Determination of Nonsignificance was issued on January 4, 2013, in accordance with the State Environmental Policy Act (SEPA) (Chapter 43.21C RCW); and

WHEREAS, the Olympia City Council held numerous study sessions, workshops, and deliberations to consider the Draft Shoreline Master Program Update between June of 2012 and October of 2013; and WHEREAS, the Olympia City Council held two public hearings on the Draft Shoreline Master Program Update on January 22, 2013, and July 9, 2013; and

WHEREAS, the Olympia City Council, after considering all of the testimony and evidence, finds that the October 1, 2013 Shoreline Master Program Update and other plans, regulations and documents associated therewith will protect the health, safety and welfare of the City and are in the best interests of the residents and the environment of the City of Olympia;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OLYMPIA AS FOLLOWS:

Section 1. Acceptance of SMP and Associated Documents. The October 1, 2013 Shoreline Master Program and associated documents, including the Restoration Plan, Olympia Municipal Code Section 18.06.100 A.2.C. (West Bay Drive regulations), Olympia Municipal Code Chapter 18.32 (Critical Areas Regulations), and the Shoreline Inventory, Shoreline Analysis and Characterization attached hereto as Exhibit "A," are hereby accepted.

Section 2. Submission to Department of Ecology. The City Manager or his designee is directed to submit the SMP and associated documents including the Shoreline Master Program Checklist, updated Cumulative Impacts Analysis and other required information to the Washington State Department of Ecology for their review prior to formal adoption by the Olympia City Council.

Section 3. Intent to Adopt. The Council declares its intent to adopt the October 1, 2013 Shoreline Master Program as amended herein after approval by Ecology.

Section 4. Effective Date. This Resolution shall become effective immediately upon adoption and signature as provided by law.

PASSED BY THE OLYMPIA CITY COUNCIL this _____ day of October 2013.

STEPHEN H. BUXBAUM, MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

Darren Nienaber

DEPUTY CITY ATTORNEY