



City Council

Shoreline Master Program Update - Response to Comments Received by Department of Ecology

Agenda Date: 10/28/2014
Agenda Item Number: 4.F
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Type: decision **Version:** 1 **Status:** Passed

Title

Shoreline Master Program Update - Response to Comments Received by Department of Ecology

Recommended Action

Committee Recommendation:

Move to direct staff to respond to the Department of Ecology as reflected in **Attachment 1**.

City Manager Recommendation:

Move to direct staff to respond to the Department of Ecology as reflected in **Attachment 1**.

Report

Issue:

Late in 2013 the City of Olympia submitted a proposed update of its Shoreline Master Program for review and approval by the Department of Ecology. Between July 23 and September 8 of 2014, Ecology accepted public comment on the proposal. Pursuant to Ecology's standard review process, the City now has an opportunity to respond to those comments. The City's response, if any, is by November 7, 2014. The Land Use and Environment Committee considered staff's proposed response and recommends that City Council direct staff to forward it to the Department of Ecology.

Staff Contact:

Keith Stahley, Director, Community Planning and Development Department, 360.753.8227

Presenter(s):

None. Consent item.

Background and Analysis:

Washington's Shoreline Management Act (SMA) requires that each city and county adopt and administer a 'Shoreline Master Program' (SMP) approved by the Washington Department of Ecology. These programs apply to 'shoreslines of the state' (major water bodies) and nearby lands. Such programs usually include local goals, policies, development regulations and standards. The goals and policies become part of the local Comprehensive Plan. A 2003 amendment of the Act requires periodic updates of all SMPs.

In 2007 Olympia began an update of its Shoreline Master Program with an adoption target of December 1, 2011. Due to an extended public process, the City's proposed update was not forwarded to Ecology until December of 2013. Ecology's staff is now reviewing the City's proposal - until approved by Ecology, it will not be in effect.

In general, Ecology is to review the City's proposal for consistency with the Act and SMP update guidelines and procedures. As part of that review process, Ecology held a public hearing on July 31 and accepted public comment until September 8, 2014. The next step in the standard process is for the City to respond to the comments received by Ecology. Ecology staff will then review the proposal and all comments including the City's response. Ecology will then issue 'findings and conclusions.' These may include approval of the proposal, or Ecology may require or recommend changes to the proposal. If changes are proposed, the City will have at least thirty days to respond to Ecology's proposal. These procedures are described in more detail in Washington Administrative Code 173-26-120.

Public Comments and Response

As noted above, at this stage the City is being provided an opportunity to respond to public comments submitted to Ecology. In brief, the public's comments focused on:

- Earthquake risk
- Sea level rise and flood risk
- Building height and view protection
- Building setbacks, especially along Budd Inlet
- Public access, especially to Budd Inlet
- Heritage Park area

To assist the City in responding, Ecology staff provided a summary of those comments. That summary, organized by topic, is attached (**Attachment 1**) and includes recommended responses drafted by City staff. Attached for convenience is a City-staff-prepared comment summary organized by commenter (**Attachment 2**). A copy of all comments received by Ecology is attached as **Attachment 3**.

The Land Use and Environment Committee's responses generally focus on the extensive public process employed by the City, the Cumulative Impacts Analysis and Inventory and Characterization, the broad range of alternatives considered, the balancing of Shoreline Management Act goals in the proposal ultimately approved by the Council, and consistency of the proposal with local plans and values.

Neighborhood/Community Interests (if known):

Community interest and participation in the update of Olympia's Shoreline Master Program has been extensive and intensive, and is expected to continue.

Options:

1. Concur with approach being recommended by the Land Use and Environment Committee and direct staff to forward a response to the Department of Ecology.
2. Provide specific suggestions or direction regarding City responses to comments.
3. Direct staff to request an extension from the Department of Ecology and schedule the matter

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for further deliberation at a later meeting.

Financial Impact:
Within current budget.