

ORDINANCE NO. 1468

AN ORDINANCE CONCERNING THE ADEQUACY OF THE SHORELINE MASTER PROGRAM PERIODIC REVIEW REQUIRED BY RCW 90.58.080(4)

WHEREAS, the Shoreline Management Act (SMA) requires City of Woodland to develop and administer a Shoreline Master Program (SMP); and

WHEREAS, the City of Woodland adopted a comprehensive SMP update as required by RCW 90.58.080(2), which was effective as of August 29, 2016; and

WHEREAS, RCW 90.58.080(4) requires City of Woodland to periodically review and, if necessary, revise the master program on or before June 30, 2021; and

WHEREAS, the review process is intended to bring the SMP into compliance with requirements of the act or state rules that have been added or changed since the last SMP amendment, ensure the SMP remains consistent with amended comprehensive plans and regulations, and incorporate amendments deemed necessary to reflect changed circumstances, new information, or improved data; and

WHEREAS, City of Woodland developed a public participation program for this periodic review in accordance with WAC 173-26-090(3)(a) to inform, involve and encourage participation of interested persons and private entities, tribes, and applicable agencies having interests and responsibilities relating to shorelines; and

WHEREAS, City of Woodland has followed its adopted public participation program, including public workshops, a website, information videos, e-mails, and letters to all utility customers in the City; and

WHEREAS, the City of Woodland used Ecology's checklist of legislative and rule amendments to review amendments to chapter 90.58 RCW and department guidelines that have occurred since the master program was last amended, and determine if local amendments are needed to maintain compliance in accordance with WAC 173-26-090(3)(b)(i); and

WHEREAS, the City of Woodland reviewed changes to the comprehensive plan and development regulations to determine if the shoreline master program policies and regulations remain consistent with them in accordance with WAC 173-26-090(3)(b)(ii); and

WHEREAS, the City of Woodland considered whether to incorporate any amendments needed to reflect changed circumstances, new information or improved data in accordance with WAC 173-26-090(3)(b)(iii); and

WHEREAS, the City of Woodland Planning Commission completed a review of staff recommendations and prepared initial amendments; and

WHEREAS, the City of Woodland conducted a formal public comment period in compliance with requirements of WAC 173-26-100; and

WHEREAS, the City of Woodland published a legal notice in Battle Ground Reflector on November 25, 2020 for a public hearing on the proposed Planning Commission recommendation(s), including a statement that the hearings were intended to address the periodic review in accordance with WAC 173-26-090(3)(c)(ii); and

WHEREAS, the Planning Commission took public testimony on the proposed Planning Commission recommendation(s) at a public hearing on December 17, 2020; and

WHEREAS, a State Environmental Policy Act (SEPA) environmental checklist was prepared based upon Planning Commission Public Hearing Draft, and the City of Woodland SEPA responsible official issued and circulated a copy of the checklist and Determination of Non-Significance (DNS) on November 24, 2020; and

WHEREAS, the Planning Commission reviewed the public testimony and written comments on the proposed SMP revisions, and suggested revisions to the proposed amendments; and

WHEREAS, the Planning Commission recommended approval of the proposed amendments and forwarded it to the City Council for review and adoption on April 5, 2021; and

WHEREAS, the City of Woodland provided Notice of Intent to Adopt to the Washington State Department of Commerce in accordance with WAC 173-26-100(5); and

WHEREAS, after considering all public comments and evidence, the Council determined that the proposed amendments comply with all applicable laws and rules; and

WHEREAS, this completes the City's required process for periodic review in accordance with RCW 90.58.080(4) and applicable state guidelines (WAC 173-26).

WHEREAS, the City Council scheduled a public meeting for April 5th, 2021 to consider the proposed ordinance; and

WHEREAS, Woodland Municipal Code (WMC) 19.08 authorizes the City Council to make decisions on comprehensive planning documents; and

WHEREAS, all procedural requirements of the Woodland Municipal Code (WMC) for these amendments have been met.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOODLAND AS FOLLOWS:

Section 1: Review and Evaluation. The Council hereby finds that the review and evaluation required by RCW 90.58.080(4) have occurred, as described in the recitals above.

Section 2: Revisions. That Chapters 1, 3, and 8, and Appendixes A and D of the City of Woodland Shoreline Master Program are hereby amended to read as set forth in Exhibit 1 attached to this ordinance and incorporated herein by this reference. The remaining portions of the City's SMP shall remain unchanged.

Section 3: Adoption. The Council hereby adopts the above referenced SMP revisions and finds the amended SMP consistent with the requirements of RCW 90.58 and WAC 173-26, as they apply to these amendments.

Section 4: Submission to Department of Ecology. The Community Development Director, or their designee is directed to submit the SMP and associated documents to the Department of Ecology for their review and approval prior to formal adoption. If approved by the Department of Ecology no further action is necessary for compliance with RCW 90.58.080(4) for the periodic review update due on June 30, 2021.

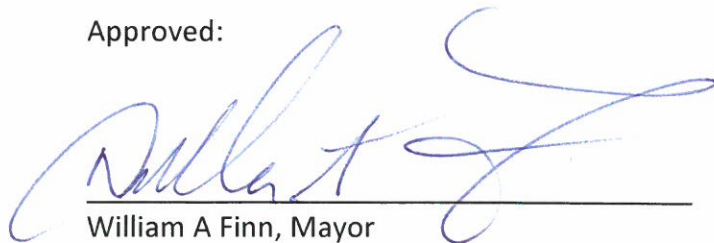
Section 5: Severability. If any section, sentence, clause or phrase in this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of constitutionality of any other section, sentence, clause or phase of this Ordinance.

Section 6: Effective Date. This ordinance shall become effective five (5) days after its summary publication in the media or paper of record as required by law.

ADOPTED this 7th day of June 2021.

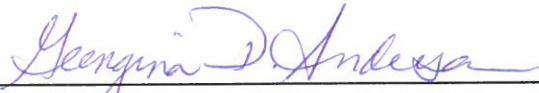
CITY OF WOODLAND, WASHINGTON

Approved:



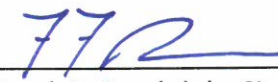
William A Finn, Mayor

Attest:



Georgina D. Anderson, Deputy Clerk-Treasurer

Approved as to form:



Frank F. Randolph, City Attorney