CITY OF LANGLEY
ORDINANCE NUMBER ______

AN ORDINANCE OF THE CITY OF LANGLEY, WA ADOPTING THE 2013 SHORELINE MASTER PROGRAM

WHEREAS, The Washington State Shoreline Management Act (RCW 90.58) was passed by the State Legislature in 1971 “to prevent the inherent harm in an uncoordinated and piecemeal development of the state’s shorelines” and to provide for appropriate shoreline use by encouraging land uses that enhance and conserve shoreline functions and values; and

WHEREAS, The Shoreline Management Act requires all local governments that include Shorelines of the State (Puget Sound) to prepare Shoreline Master Programs (SMPs) to protect shoreline resources by regulating development and to provide for appropriate shoreline uses; and

WHEREAS, The City of Langley adopted its first SMP in 2001 and pursuant to RCW 90.58.080, the SMP is required to be updated to address emerging shoreline issues and revisions of State guidelines; and

WHEREAS, the City has engaged ESA, a qualified environmental consulting firm experienced in the preparation of shoreline master programs to assist with the preparation of the City’s SMP Update; and

WHEREAS, The Washington Administrative Code establishes the basic elements of the process to prepare the Program that include a public participation plan; a shoreline inventory and characterization; the delineation of environmental designations; goals, policies and regulations; and supplemental documents including a Cumulative Impact Analysis and Restoration Plan; and

WHEREAS, The Langley Shoreline Advisory Committee was designated in the Public Participation Plan as the primary advisory body responsible for providing a forum for public participation on the SMP Update. The Shoreline Advisory Committee conducted several public meetings including an open house to get input on the vision, goals and policies of the SMP update.; and

WHEREAS, The Planning Advisory Board was designated the primary advisory body for developing the SMP update and associated documents as well as hold the required formal public hearing; and

WHEREAS, the Shoreline Advisory Committee and the Planning Advisory Board established new shoreline environmental designations (SEDS) from the existing 2001 SMP to better serve as the foundation from which general and specific policies and regulations would be developed and thus defined the new SEDS as “Urban Boat Harbor” and “Aquatic Conservancy”,

WHEREAS, the Planning Advisory Board discussed the appropriate policies and use regulations applicable to each of the SEDs during regular meetings conducted over twelve months from March 2012 through February 2013; and

WHEREAS, the Shoreline Management Act also requires the SMP to include a Restoration Plan that includes goals and policies for the restoration of ecological functions that have been historically impaired or degraded and a Cumulative Impact Analysis to ensure that when implemented over time, the SMP will achieve no net loss of shoreline ecological functions from the current baseline conditions; and

WHEREAS, ESA has prepared, and the Planning Advisory Board has reviewed, the Cumulative Impact Assessment and the Restoration Plan as supplemental documents to the draft SMP and on February 6, 2013 passed a motion authorizing the SMP to be forwarded to a public hearing before the Planning Advisory Board; and

WHEREAS, the Department of Ecology (DOE) completed a preliminary review of the draft SMP and associated documents in December of 2012; and

WHEREAS, a Determination of Non-Significance was issued on February 13, 2013 and no appeals were received; and

WHEREAS, a notice of public hearing was advertised in the South Whidbey Record on February 23, 2013 and posted on the City’s website, in the City Hall Kiosk, at the Post Office and mailed to affected agencies and tribes on February 21, 2013; and

WHEREAS, a duly noticed public hearing on the Langley Shoreline Master Program Update 2013 was conducted before the Planning Advisory Board on March 6, 2013; and

WHEREAS, the Planning Advisory Board passed a resolution March 13, 2013 recommending the city council adopt the 2013 Shoreline Master Program

WHEREAS, The City of Langley locally adopted the Shoreline Master Program via resolution #754 passed on May 6, 2014.

WHEREAS, The Washington State Department of Ecology notified the City of Langley on December 6, 2014 that the plan was approved by the state with an effective date of December 20, 2014. No modifications to the plan were required. The DOE issued findings of fact supporting their approval

NOW, THEREFORE, be it ordained by the City Council of the City of Langley, Washington, as follows:

Section 1. Adopt the 2013 Langley Shoreline Master Program (Exhibit A)
PASSED BY THE CITY COUNCIL OF THE CITY OF LANGLEY, WASHINGTON, and approved by the Mayor at a regular meeting held this ____ day of ______________, 2014

________________________________________
Fred McCarthy, Mayor

________________________________________
Debbie L. Mahler, Director of Finance/Clerk

APPROVED AS TO FORM:

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Jeff Taraday, City Attorney