ATTACHMENT A: FINDINGS AND CONCLUSIONS ADDENDUM
FOR PROPOSED COMPREHENSIVE AMENDMENT TO THE CITY OF RENTON
SHORELINE MASTER PROGRAM

SMP Changes, accepted as passed, in Ordinance No. 5633
Prepared by Barbara Nightingale on October 29, 2011

Brief Description of Proposed Amendment:

The City of Renton has submitted to Ecology a comprehensive amendment to their Shoreline Master Program (SMP). On March 9, 2011, Department of Ecology Director Ted Sturdevant sent an Approved with Conditions letter to Mayor Denis Law. The City responded in a letter dated April 6, 2011 with alternative language for one requested change related to overwater trails and a request for reconsideration of the required Ecology change on dock width in the first 30 feet from OHWM. The city accepted all other required and recommended changes.

FINDINGS OF FACT

Alternative Language for Overwater Trails Regulation: Ecology reviewed the City’s alternative language for overwater trails and found the alternative consistent with the Shoreline Management Act and the intent of Ecology’s original requested change to limit overwater trails to existing park trails and the planned expansion of public systems.

Reconsideration of Required Change for Single-Family Docks: Ecology reconsidered the issue of dock width in the first 30 feet waterward of OHWM in consultation with federal and state agencies permitting such docks. Ecology stands firm with the required change in that width requirement. However, an allowance was made to provide for handicapped homeowners for a wider SFR dock, up to 6 feet wide without a variance, with approval by ACOE and WDFW. An allowance was also made for dock width to be up to 6-foot width waterward of the first 30 feet, without a variance, upon approval from WDFW and ACOE.

Through the City of Renton Ordinance 5633, the City provided:
- Acceptance of Ecology Required Change for Single Family Docks to a 4-foot width in the first 30 feet waterward of OHWM;
- Clarification in mapping overlays for May Creek Reach B and Gene Coulon Park Reach G, with a corresponding change in footnote text for May Creek Reach B;
- Clarification and flexibility for buffer requirements at the EPA clean-up site on Lake Washington;
- Acknowledgement of Ecology’s acceptance of the City’s alternative language for Overwater Trails, and
- Acceptance of all other Ecology Required and Recommended changes.
CONCLUSIONS OF LAW

Consistent with RCW 90.58.090(2)(e)(ii), the City’s proposed alternative language for Overwater Trail Regulation is consistent with the Shoreline Management Act and the purpose and intent of Ecology’s original requested change to limit overwater trails to existing park trails and planned expansion of public trails for Gene Coulon Park and Sam Chastain Trail. Therefore, Ecology accepts the City’s alternative clarifying language.

Similarly, the proposed clarifications to the “Exhibit B Shoreline Environment Overlays” and associated development standards and the allowance of buffer averaging in Lake Washington Reach C, if consistent with a NOAA Natural Resources Damage Settlement and approved by the US EPA and the National Marine Fisheries Service are both approved by Ecology. These changes provide clarity and flexibility for implementation; while being consistent with the State Shoreline Management Act and Guidelines.

DECISION AND EFFECTIVE DATE

Ecology approval of the City’s proposed comprehensive SMP amendment, Ordinance 5633, is effective on the date of the Ecology Director’s letter accepting the changes of Ordinance 5633.

Attachments:  SMP Review Router
              City of Renton April 6, 2011 response letter
              Ecology’s, Geoff Tallent, July 28, 2011, Geoff Tallent
              City of Renton October 25, 2011 response letter
              Table of Changes to Resolution 4067-Renton Shoreline Master Program (October 2011)
              Exhibit B – Renton Shoreline Environment Overlays
              Ecology response letter on requested and required changes