RESOLUTION NO. 1288 (2012)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOTHELL, WASHINGTON, APPROVING THE AMENDED SHORELINE MASTER PROGRAM AND DIRECTING THE DEPARTMENT OF COMMUNITY DEVELOPMENT TO FORWARD THE DOCUMENTS COMPRISING THE SHORELINE MASTER PROGRAM TO THE WASHINGTON STATE DEPARTMENT OF ECOLOGY FOR APPROVAL

WHEREAS, the people of the State of Washington enacted the Shoreline Management Act (RCW 90.58) by a vote of the people in 1971; and

WHEREAS, the Growth Management Act (RCW 36.70A.480) adds the goals and policies of the Shoreline Management Act as set forth in RCW 90.58.020 as one of the goals of the Growth Management Act without creating an order of priority; and

WHEREAS, the Shoreline Management Act (RCW 90.58.080) provides a timetable that requires the City to amend its master program by December 31, 2011 (an extension to June 29, 2012 was granted by the Washington State Department of Ecology), and the City received a grant from the Washington State Department of Ecology to defray the costs of the update process; and

WHEREAS, the City developed a public participation plan that provided widespread public notice and an aggressive visioning, public workshop, public meetings and public hearings schedule before the Bothell Shorelines Board between June of 2010 and January of 2012 and public hearings before the City Council occurring between March 2012 and May 2012; and

WHEREAS, the City developed a Draft Shoreline Inventory and Characterization document and distributed it for agency and public review in June 2010 and compiled and responded to comments and issued a final document in February 2011; and

WHEREAS, the City developed a series of technical reports, on specific topics relevant to the Shoreline Master Program and held a series of public workshops, meetings and hearings on the documents and compiled and responded to public comments; and

WHEREAS, the City issued a Draft Shoreline Master Program in July 2011 and considered and responded to government agency and public comments and prepared and issued Revised Draft Shoreline Master Programs or elements thereof in September 2011, December 2011, January 2012 and April 2012; and

WHEREAS, the City issued a Draft Cumulative Impacts Analysis in December 2011 and considered and responded to government agency and public comments and
prepared a Revised Cumulative Impacts Analysis in December 2011 and a Final Draft Cumulative Impacts Analysis in April, 2012; and

WHEREAS, the City issued a Draft Restoration Plan in July 2011 and considered and responded to government agency and public comments and issued a Final Draft Restoration Plan in April 2012; and

WHEREAS, the City's Responsible Official issued a Determination of Non-Significance on the proposed Shoreline Master Program on April 24, 2012; and

WHEREAS, once the City approves the Shoreline Master Program, it will be sent to the Washington State Department of Ecology for review and approval, a process which may entail further changes and amendments to the documents of the Shoreline Master Program; and

WHEREAS, upon Department of Ecology approval, the City will adopt the Shoreline Master Program by ordinance;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BOTHELL, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. This resolution is supported by the adopted City Council Findings, Conclusions, and Decision, Exhibit A to this Resolution.

Section 2. The City Council preliminarily approves the Shoreline Master Program, subject to Department of Ecology approval. The Bothell Shoreline Master Program is comprised of the documents and proposed amended Plan and Code amendments attached as Exhibits B through E, and directs the Department of Community Development to forward the following documents to the State Department of Ecology for review and approval:

Exhibit B: Shoreline Element of the Imagine Bothell... Comprehensive Plan
Exhibit C: Shoreline Restoration Plan
Exhibit D: Amended Bothell Municipal Code (BMC) Title 13:
• BMC Chapter 13.01 Authority and Purpose;
• BMC Chapter 13.03 Definitions;
• BMC Chapter 13.05 Shoreline Jurisdiction;
• BMC Chapter 13.07 Shoreline Environmental Designations with Use Environment Maps;
• BMC Chapter 13.09 General Standards;
• BMC Chapter 13.11 Use Specific Standards;
• BMC Chapter 13.13 Critical Area Standards;
• BMC Chapter 13.15 Legal Pre-Existing Uses and Structures;
• BMC Chapter 13.17 Administration, Permits, and Enforcement; and
• BMC Chapter 13.19 Shorelines Board.
Section 3. The City Clerk is authorized to make necessary corrections to this resolution including, but not limited to, the correction of scrivener’s/clerical errors, references, resolution numbering, section/subsection numbers and any references thereto.

PASSED this 15th day of May, 2012.

APPROVED:

MARK LAMB
MAYOR

ATTEST/AUTHENTICATED:

JOANNE TRUDEL
CITY CLERK

FILED WITH THE CITY CLERK: May 8, 2012
PASSED BY THE CITY COUNCIL: May 15, 2012
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