Resolution 12-30


WHEREAS, the Shoreline Management Act of 1971, codified as Chapter 90.58 (“SMA”), requires all cities and counties with “shorelines of the state” to prepare and adopt a Shoreline Master Program that is based on state laws and rules, but tailored to the specific jurisdiction; and

WHEREAS, in February 1972, the City of Oak Harbor adopted its SMA-based Shoreline Master Program (“SMP”); and

WHEREAS, in 1995, the City of Oak Harbor updated its Shoreline Master Program and no updates have since been completed; and

WHEREAS, effective January 17, 2004, the regulations implementing the SMA promulgated under Chapter 173-26 WAC (“the SMA guidelines”) were substantially revised and the City’s current program requires a comprehensive master program update in order to achieve the procedural and substantive requirements of the SMA guidelines; and

WHEREAS, the “Shoreline Advisory Committee” met on eight separate occasions to review and discuss drafts of the Shoreline Master Program during the period July, 2011 through March, 2012; and

WHEREAS, on July 20, 2011 stakeholders were invited to attend a Shoreline Visioning Meeting to review the findings of the Shoreline Inventory and Characterization Report and identify future planning concerns for Oak Harbor’s shorelines; and

WHEREAS, on April 11, 2012 shoreline property owners were invited to attend a Shoreline Property Owner’s Meeting; and

WHEREAS, on September 7, 2012 the City’s SEPA responsible official issued a Determination of Nonsignificance (“DNS”) pursuant to WAC 197-11-600(4)(a) and the DNS was not appealed; and

WHEREAS, the Planning Commission met on four separate occasions to discuss the Shoreline Master Program and recommended approval of it to the City Council on September 25, 2012; and

WHEREAS, the Governmental Services Standing Committee met to discuss the Shoreline Master Program on 12 separate occasions; and

WHEREAS, the Public Works and Utilities Standing Committee met to discuss the Shoreline Master Program on four separate occasions; and
WHEREAS, Oak Harbor City Council held a public hearing on November 7, 2012 which was continued to November 20, 2012 to consider the draft SMP; and

WHEREAS, the City Council concluded the public hearing on November 20, 2012; and

WHEREAS, the purpose of this resolution is to provide the approval necessary to forward the proposed SMP update to the Washington State Department of Ecology for review and comment prior to the City’s formal adoption of the SMP in accordance with WAC 173-26-110.

THE CITY COUNCIL OF THE CITY OF OAK HARBOR do hereby resolve as follows:

SECTION ONE: Proposed Shoreline Master Program Update – Approved. The Oak Harbor City Council approves the Shoreline Master Program update attached as Exhibit A and incorporated herein by reference.

SECTION TWO: Submittal to Department of Ecology. The Director of Development Services, or his designee is hereby directed to submit the approved Shoreline Master Program update and all supporting documentation required to accompany the Shoreline Master Program update pursuant to WAC 173-26-110 to the Washington Department of Ecology for formal review and approval in accordance with WAC 173-26-120.

PASSED by the City Council and approved by its Mayor this 20th day of November, 2012.

CITY OF OAK HARBOR

[Signature]
Mayor Scott Dudley

Attest:
[Signature]
Interim City Clerk

Approved as to form:
[Signature]
City Attorney