

CITY OF MUKILTEO
MUKILTEO, WASHINGTON
RESOLUTION NO. 2019-04

A RESOLUTION OF THE MUKILTEO CITY COUNCIL APPROVING THE SHORELINE MASTER PROGRAM UPDATE AND DIRECTING STAFF TO FORWARD THE SHORELINE MASTER PROGRAM AND ALL SUPPORTING DOCUMENTS TO THE WASHINGTON STATE DEPARTMENT OF ECOLOGY (ECOLOGY) FOR FINAL APPROVAL PURSUANT TO WASHINGTON ADMINISTRATIVE CODE (WAC) 173-26-110 AND WAC 173-26-120.

WHEREAS, the Shoreline Management Act of 1971 (“SMA”), codified at Revised Code of Washington (RCW) Chapter 90.58, requires all cities and counties with “shorelines of the state” to prepare and adopt a Shoreline Master Program (“SMP”) that is based on state laws and rules, but tailored to the specific jurisdiction; 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 required a comprehensive master program update in order to achieve the procedural and substantive requirements of the SMA guidelines; and

WHEREAS, in 2011 the City’s Shoreline Master Plan and Development Regulations were adopted by the Mukilteo City Council and approved by the Department of Ecology (Ecology) (City of Mukilteo Ordinance No. 1295); and

WHEREAS, the Mukilteo City Council reviewed and approved the plan and schedule on February 20, 2018 for the draft 2019 Shoreline Master Program – Work Plan, Public Participation Plan, and Tentative Schedule; and

WHEREAS, RCW 90.58.080(4) of the SMA requires that the City of Mukilteo take legislative action to review and update its Shoreline Master Plan and Development Regulations by July 1, 2019; and

WHEREAS, the City complied with the requirements of the State Environmental Policy Act (SEPA) RCW Ch.43.21C by issuing a Determination of Nonsignificance (DNS) on February 4, 2019. The appeal period ended on February 19, 2019, and no appeals were filed; and

WHEREAS, the City held open house to educate interested parties on the elements of the SMP on April 18, 2019; and

WHEREAS, the Planning Commission held a duly-noticed joint public hearing with the City of Mukilteo and the Department of Ecology on April 18, 2019, on the draft ordinance; and

WHEREAS, the City transmitted the draft Shoreline Master Program Update and Development Regulations to the Department of Ecology for comment on June 7, 2019, prior to the City's formal adoption of the SMP in accordance with WAC 113-26-110; and

WHEREAS, the Department of Ecology provided a written statement of initial concurrence and recommendations to the City regarding the draft Shoreline Master Program Update and Shoreline Management Regulations on August 2, 2019; 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 final approval of the SMP in accordance with WAC 113-26-120;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MUKILTEO DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Submittal to Department of Ecology. The Community Development Director is hereby directed to submit the Shoreline Master Program and Title 17B MMC – Shoreline Management Regulations adopted under Ordinance No. 1427, along with all supporting documentation required pursuant to WAC 173-26-110, to the Washington State Department of Ecology for final review and approval in accordance with WAC 173-26-120.

RESOLVED AND APPROVED this _____ day of September 2019.

APPROVED:

MAYOR, JENNIFER GREGERSON

ATTEST/AUTHENTICATED:

CITY CLERK, CAROL MOORE

FILED WITH CITY CLERK:
PASSED BY CITY COUNCIL:
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