

RESOLUTION NO. 2017-003

A RESOLUTION OF THE CITY OF BINGEN

EXPRESSING THE INTENT TO ADOPT AN UPDATE OF THE SHORELINE MASTER PROGRAM AND AUTHORIZING THE SUBMITTAL OF THE PROPOSED SHORELINE MASTER PROGRAM TO THE WASHINGTON STATE DEPARTMENT OF ECOLOGY

WHEREAS, the Shoreline Management Act of 1971, codified as Chapter 90.58, 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, the City of Bingen is currently using the Klickitat County Shoreline Master Program Update 1990, and

WHEREAS, effective January 17, 2004, the regulations implementing the Shoreline Management Act promulgated under Chapter 173-26 WAC were substantially revised and it requires the city to adopt its own Shoreline Master Program; and,

WHEREAS, the City of Bingen obtained state funding for the Shoreline Master Program update under Grant No. G1400528; and

WHEREAS, the City developed a Public Participation Plan to guide community involvement during the Shoreline Master Program update; and

WHEREAS, on October 29, 2014 the City held a Community Visioning public open house to review the findings of the Shoreline Inventory and Characterization Report and identify future planning concerns for Bingen’s shoreline; and,

WHEREAS, on February 2, 2016 the City council reviewed and discussed the draft Shoreline Master Program; and

WHEREAS, the City Council held a public hearing on October 18, 2016, to provide further opportunity for members of the public to present testimony and other evidence regarding the proposed Shoreline Master Program update; and

WHEREAS, 60-day notice of intent to adopt the updated Shoreline Master Program was received by the Washington State Department of Commerce on November 1, 2016 and the City did not receive any comments from State agencies; and

WHEREAS, on November 10, 2016 the City issued a Determination of Nonsignificance (“DNS”) pursuant to WAC 197-111-600(4)(a) and the DNS was not appealed; and,

WHEREAS, the City allowed additional time to consider public comments and provide response; and

WHEREAS, the City Council considered proposed changes to the draft updated Shoreline Master Program at its April 4, 2017 council meeting, in response to public comments; and

WHEREAS, the City of Bingen has regularly consulted with the Washington State Department of Ecology (“Ecology”) during the Shoreline Master Program Update; and

WHEREAS, the City Council finds that the Shoreline Master Program update is consistent with and implements the Shoreline Management Act, Chapter 90.58 RCW, and the Growth Management Act, Chapter 36.70A RCW, and is in the best interest of the City, balancing the protection of the environment with the protection of private property rights; and

WHEREAS, the City’s updated Shoreline Master Program must be reviewed and approved by Ecology prior to its formal adoption by the City of Bingen; and

WHEREAS, the purpose of this resolution is to provide the approval necessary to forward the proposed Shoreline Master Program to the Washington State Department of Ecology

for review and comment prior to the City's formal adoption of the Shoreline Master Program in accordance with WAC 173-26-110; and

WHEREAS, upon final approval by Ecology, the City Council intends to adopt the updated Shoreline Master Program by ordinance; although Ecology's review and approval process may entail further changes and amendments to the Shoreline Master Program update documents before it is adopted by the City Council.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BINGEN, do hereby resolve as follows:

Section 1. The Bingen City Council accepts the proposed updated City of Bingen Shoreline Master Program and supporting documents and maps, attached as Exhibit A, as the comprehensive update packaged required by RCW 90.58.080. The City Council expresses its intent to formally adopt the updated Shoreline Master Program upon final approval from Ecology.

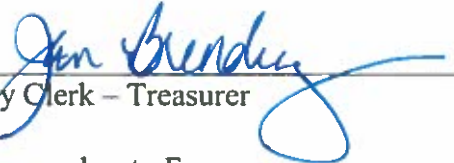
Section 2. The City Administrator, or their designee, is hereby directed to submit the approved Shoreline Master Program update and all supporting documentation required to accompany the Shoreline Master Program update pursuant to WAC 173-26-110 to the Washington Department of Ecology for formal review and approval in accordance with WAC 173-26-120.

ADOPTED by the City Council of the City of Bingen, Washington, and APPROVED by its Mayor, at a regularly scheduled open public meeting thereof this 4th day of April, 2017.




Mayor

Attest:



City Clerk – Treasurer

Approved as to Form:



Attorney