ORDINANCE NO. 05-11

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINGTON, KING COUNTY, WASHINGTON, ADOPTING THE FINAL SHORELINE MASTER PROGRAM UPDATE AND ASSOCIATED DOCUMENTS, AS REQUIRED IN RCW 90.58, STATE OF WASHINGTON SHORELINE MANAGEMENT ACT INCLUDING GOALS, POLICIES AND RECOMMENDATIONS; SHORELINE ENVIRONMENTAL DESIGNATIONS; A SHORELINE RESTORATION PLAN; AND CUMULATIVE IMPACTS ANALYSIS; AND FORWARDING SUCH DOCUMENTS TO THE STATE DEPARTMENT OF ECOLOGY FOR THEIR REVIEW AND ACTION.

WHEREAS, the State of Washington Shoreline Management Act (RCW 90.58), adopted in 1972, recognizes that "shorelines are among the most valuable and fragile" resources of the state, and that to protect the public interest in preserving these shorelines, the State and local governments must establish a coordinated planning program to address the types and effects of development occurring along the state's shorelines; and

WHEREAS, the broad policies of the Shoreline Management Act are to encourage water-dependent uses, protect shoreline natural areas, and promote public access; and

WHEREAS, the Shoreline Management Act requires all local governments, including the City of Covington, to 1) develop an inventory of the natural characteristics and land use patterns along shorelines covered by the Act; 2) prepare a "Shoreline Master Program" to determine the future of the shorelines; 3.) develop specific goals policies and recommendations for protection of such shoreline resources; 4) develop a permit system with development standards for all shoreline uses within existing shoreline designations that further the goals and policies of both the Act and the local Shoreline Master Program; and 5) develop a Restoration Plan for the long-term restoration of impaired shoreline ecological functions; and

WHEREAS, the City of Covington obtained a grant from the Washington Department of Ecology (DOE) in June, 2007 to conduct a comprehensive Shoreline Master Program (SMP) Update between June 2007 and December, 2010, which was extended to June 30, 2011; and

WHEREAS, the Shoreline Management Act and State DOE required local governments to update their Shoreline Master Programs and regulations by December 31, 2010; and the State Department of Ecology granted the City of Covington an extension to June 30, 2011, via their mutual SMP grant contract, to complete the final Council adoption process; and

WHEREAS, the City formed an Ad Hoc Citizen Advisory Committee, including stakeholders and property owners along Soos Creek, Jenkins Creek, and Pipe Lake, members of the Covington Planning Commission and the Covington Economic Development Council, the Parks and Recreation Commission, and both the Soos Creek Water & Sewer District and the Covington Water District, and other interested individuals, who reviewed and commented on the development of the SMP and proposed regulations at 6 public meetings over a 14 month time frame; and

WHEREAS, the Ad Hoc Citizen Advisory Committee recommended their endorsement of the proposed SMP Update; goals, policies and recommendations; environmental designations; restoration plan; cumulative impacts analysis; and all associated documents to the Covington Planning Commission; and

WHEREAS, the Covington Planning Commission held two public meetings on April 2, 2009, and April 16, 2009, to discuss the contents of the SMP Update, and one formal public hearing on May 7, 2009, where 26 individual stakeholders attended and 8 individuals provided public comment and testimony; and

WHEREAS, the Covington Planning Commission considered all written and verbal testimony provided, held an additional public meeting on May 21, 2009, and made certain modifications to the proposed SMP Update and proposed shoreline regulations to reflect such testimony; and

WHEREAS, the Covington Planning Commission recommended unanimously by a vote of 6-0, that the Covington City Council adopt the proposed SMP Update, goals, policies, recommendations, the proposed shoreline environmental designations, the proposed Restoration Plan, and the proposed Cumulative Impacts Analysis; and

WHEREAS, the proposed Covington Shoreline Master Program addresses the key requirement in the 2003 DOE guidelines of providing for "no net loss of ecological function" and consistency with the State Shoreline Management Act, and the City Council feels the proposed Covington SMP Update meets that standard; and

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINGTON, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:

Section 1. The City Council formally adopts the final City of Covington Shoreline Master Program Update, including Goals, Policies and Recommendations; Shoreline Environmental Designations; Shoreline Regulations and Permit Process; Shoreline Restoration Plan; and Cumulative Impacts Analysis (All contained in Exhibits A through D); and

Section 2. The City Council directs the City Manager to forward all the above SMP Update documents and accompanying reports, as well as the City's public participation plan, and documentation of all public comments and city responses to such public comments to the Washington State Department of Ecology for their final review and approval.

Passed in open and regular session this 26th day of April, 2011.

Margaret Harto

Mayor Margaret Harto

Attested:

Sharon Scott, City Clerk

APPROVED AS TO FORM:

Sara Springer, City Attorney