

ORDINANCE NO: 2021-04

AN ORDINANCE OF THE CITY OF VADER, WASHINGTON; ADOPTING NEW POLICIES AND REGULATIONS IN ACCORDANCE WITH CHAPTER 36.70A RCW (GROWTH MANAGEMENT ACT); UPDATING AND ADOPTING A NEW SHORELINE MASTER PROGRAM, INCLUDING ALL CONFORMANCE AMENDMENTS FOR CONSISTENCY PURPOSES; AUTHORIZING THE SUBMITTAL OF THOSE POLICIES, REGULATIONS, AND CONFORMANCE AMENDMENTS TO THE WASHINGTON STATE DEPARTMENT OF ECOLOGY; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Chapter 90.58 of the Revised Code of Washington requires the City of Vader to complete a periodic review of the City's Shoreline Master Program (SMP) every 8 years to incorporate recent shoreline-related legislation; and

WHEREAS, pursuant to the mandate in RCW 90.58.080, in 2014 the City also was required to complete a comprehensive update of the entire SMP; and

WHEREAS, the City has carefully reviewed the requirements of Chapter 90.58 RCW and Chapter 173-26 WAC and has concluded they support and are consistent with the attached SMP update; and

WHEREAS, the City completed the mandated Public Participation Plan; and

WHEREAS, in accordance with the Public Participation Plan, the City conducted an Open House on March 18, 2021 to present the draft SMP and receive public comments; and

WHEREAS, in accordance with the Public Participation Plan, the City maintained an information page regarding the SMP update on the City's website; and

WHEREAS, the proposed SMP update has been carefully integrated within the City's regulatory structure and is complementary to and consistent with other Federal, State, and Local regulations; and

WHEREAS, the conformance amendments will provide consistency between existing provisions of code and those new regulations proposed in the SMP update; and

WHEREAS, the conformance amendments also include the repeal of the City's previous SMP regulations; and

WHEREAS, the City issued a SEPA Threshold Determination of Non-Significance on this SMP update on April 16, 2021 and no appeals have been filed; and

WHEREAS, the proposed SMP was transmitted to the Washington Department of Commerce on April 21, 2021; and

WHEREAS, on May 20, 2021 the City of Vader Planning Committee and the Washington State Department of Ecology held a joint hearing to present the proposed SMP for public comment and testimony; and

WHEREAS, on May 20, 2021 at the conclusion of the joint public hearing, the Vader Planning Committee voted in the affirmative to recommend approval of the SMP by the Vader City Council; and

WHEREAS, on June 17, 2021 the Washington State Department of Ecology made and "Initial Determination of Consistency," indicating that the proposed SMP is consistent with all mandated updates; and

WHEREAS, this "Initial Determination of Consistency" means that the SMP is now ready for adoption; and

WHEREAS, on July 22, 2021, the City Council adopted this Ordinance during its regular meeting; **NOW, THEREFORE,**

**THE CITY COUNCIL OF THE CITY OF VADER, WASHINGTON, DOES
HEREBY ORDAIN AS FOLLOWS:**

Section 1. Adoption of SMP. The City of Vader’s Shoreline Master Program (“SMP”), which is attached hereto as Exhibit “A” and incorporated herein by this reference as if set forth in full, is hereby adopted.

Section 2. Prior Plan Superseded and Replaced. The SMP adopted by this Ordinance shall supersede and replace any previously adopted SMP.

Section 3. Transmittal of SMP. The City of Vader’s Planning Director is hereby directed to transmit this Resolution along with the attachments and all other submittal documents to the Washington State Department of Ecology within the next 30 days for Ecology review and approval.

Section 4. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining part of the Ordinance.

Section 5. Effective Date. This Ordinance shall take effect and be in force 14 days from the date that the Department of Ecology issues its written formal approval of the Shoreline Master Program and legal publication.

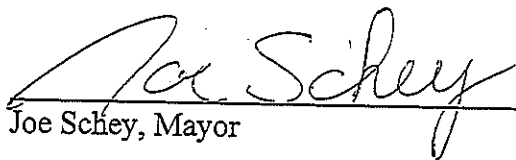
Section 6. Publication. This Ordinance shall be published by an approved summary consisting of the title.

ADOPTED by the City Council of the City of Vader and attested by the City Clerk in authentication of such passage on this 22nd day of July, 2021.

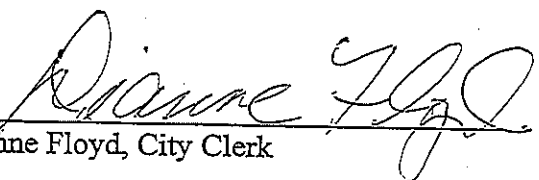
APPROVED by the Mayor this 22nd day of July, 2021.

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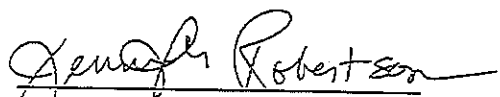
APPROVED:


Joe Schey, Mayor

ATTEST/AUTHENTICATED:


Dianne Floyd, City Clerk

APPROVED AS TO FORM:
Office of the City Attorney


Jennifer S. Robertson

PASSED BY THE CITY COUNCIL: 7/22/2021
DATE PUBLISHED: 7/23/21
EFFECTIVE DATE: 8/2/2021
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