

**TOWN OF YARROW POINT**

**RESOLUTION NO. 345**

**A RESOLUTION DETERMINING THE OUTCOME OF THE SHORELINE MASTER PROGRAM PERIODIC REVIEW REQUIRED BY RCW 90.58.080(4)**

**WHEREAS**, the Shoreline Management Act, RCW Ch. 90.58 (SMA or Act), requires The Town of Yarrow Point to develop and administer a Shoreline Master Program (SMP); and

**WHEREAS**, the Town of Yarrow Point adopted a comprehensive SMP update as required by RCW 90.58.080(2), which was effective as of April 19, 2017; and

**WHEREAS**, RCW 90.58.080(4) requires the Town of Yarrow Point to periodically review and, if necessary, revise the SMP on or before June 30, 2019; and

**WHEREAS**, the review process is intended to bring the SMP into compliance with requirements of the Act or state rules that have been added or changed since the last SMP amendment, ensure the SMP remains consistent with amended comprehensive plans and Town regulations, and incorporate amendments deemed necessary to reflect changed circumstances, new information, and/or improved data; and

**WHEREAS**, the Town of Yarrow Point developed a public participation program for this periodic review in accordance with WAC 173-26-090(3)(a) to inform, involve and encourage participation of interested persons and private entities, tribes, and applicable agencies having interests and responsibilities relating to shorelines; and

**WHEREAS**, the Town of Yarrow Point has followed its adopted public participation program, including notification via US mail and e-mail, website information, public meetings and public hearings; and

**WHEREAS**, the Town of Yarrow Point used Ecology's checklist of legislative and rule amendments to review amendments to the Act and Ecology guidelines that have occurred since the SMP was last amended, and to determine if local amendments to the SMP are needed to maintain compliance in accordance with WAC 173-26-090(3)(b)(i); and

**WHEREAS**, the Town of Yarrow Point reviewed changes to the Town's comprehensive plan and development regulations to determine if the SMP policies and regulations remain consistent with them in accordance with WAC 173-26-090(3)(b)(ii); and

**WHEREAS**, the Town of Yarrow Point considered whether to incorporate any amendments needed to reflect changed circumstances, new information or improved data in accordance with WAC 173-26-090(3)(b)(iii); and

**WHEREAS**, the Town of Yarrow Point consulted with the Department of Ecology and solicited comments; and

**WHEREAS**, the Town of Yarrow Point Planning Commission completed a review of the Town Staff recommendations and concurs with Staff recommendations that no SMP amendments are necessary to maintain its compliance with the Act or applicable guidelines; and

**WHEREAS**, the Town of Yarrow Point published a legal notice in the Seattle Times for a public hearing on the proposed Planning Commission recommendation(s), including a statement that the hearings were intended to address the periodic review in accordance with WAC 173-26-090(3)(c)(ii); and

**WHEREAS**, the Planning Commission took public testimony on the proposed Planning Commission recommendation(s) at the public hearing on June 17, 2019 at Yarrow Point Town Hall; and

**WHEREAS**, the Town of Yarrow Point has determined that a Finding of Adequacy is exempt from State Environmental Policy Act review based on WAC 197-11-800(19), which covers resolutions or ordinances “relating solely to governmental procedures, and containing no substantive standards respecting use or modification of the environment”, and “text amendments resulting in no substantive changes respecting use or modification of the environment;” and

**WHEREAS**, the Planning Commission reviewed and evaluated the public testimony and Staff recommendation (no written comments were submitted), and determined that no amendments are needed to the Town's SMP to maintain its compliance with the Act and applicable guidelines; and

**WHEREAS**, a Public Hearing Notice for the Town Council was published in the Seattle Times on June 25, 2019, and was posted at Town Hall and on the Town’s multiple mailbox pagodas; and

**WHEREAS**, the Town Council duly held a public hearing on July 9<sup>th</sup>, 2019 to solicit and receive public testimony regarding the Planning Commission recommendation pertaining to the SMP; and

**WHEREAS**, upon consideration of the record, the Planning Commission’s recommendation, and public testimony received at the hearing, the Town Council determined that no amendments to the Town's SMP are needed for continued compliance with the Act and its applicable guidelines; and

**WHEREAS**, this completes the Town of Yarrow Point required process for periodic SMA review in accordance with RCW 90.58.080(4) and applicable state guidelines under WAC 173-26.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF YARROW POINT:**

**Section 1. Review and Evaluation.** The Town Council hereby adopts the foregoing recitals and finds that the SMA/SMP review and evaluation required by RCW 90.58.080(4) has occurred, and accordingly adopts a Finding of Adequacy that the Town's Shoreline Master Program is consistent with the Shoreline Management Act and relevant sections of the Washington Administration Code.

**Section 2. Submission to Department of Ecology.** The Planning Director or designee is directed to submit this Resolution adopting Findings of Adequacy to the Department of Ecology for review and acceptance. Once approved by the Department of Ecology, no further action is necessary for compliance with RCW 90.58.080(4) for the periodic SMA review update due on June 30, 2019.

**ADOPTED** by the Council of the Town of Yarrow Point this 9<sup>th</sup> day of July 2019.



Dicker Cahill, Mayor



ATTEST: Bonnie Ritter, Clerk-Treasurer

