

ORDINANCE NO. 1020

AN ORDINANCE OF THE CITY OF PALOUSE, WASHINGTON, ADOPTING THE 2023 SHORELINE MASTER PROGRAM PERIODIC REVIEW AS REQUIRED BY RCW 90.58.080(4)

WHEREAS, the Shoreline Management Act (SMA) requires the City of Palouse to develop and administer a Shoreline Master Program (SMP); and

WHEREAS, Palouse adopted a comprehensive SMP update as required by RCW 90.58.080(2), which was effective as of January 17, 2004, and

WHEREAS, RCW 90.58.080(4) requires Palouse to periodically review and, if necessary, revise the master program on or before June 30, 2023; 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 regulations, and incorporate amendments deemed necessary to reflect changed circumstances, new information, or improved data; and

WHEREAS, the City of Palouse, along with the Town of Albion, City of Colfax, City of Pullman, Town of Rosalia, Town of Tekoa, and Whitman County, entered into a Coalition to jointly update the Shoreline Master Programs for each jurisdiction utilizing grant funding from the Department of Ecology to complete the periodic review update; and

WHEREAS, the City of Palouse, as part of the Whitman County Shoreline Master Program Coalition, developed a public participation program for this periodic review in accordance with WAC 173-26-090(3)(a) to inform, involve and encourage the participation of interested persons and private entities, tribes, and applicable agencies having interests and responsibilities relating to shorelines; and

WHEREAS, the City of Palouse used Ecology's checklist of legislative and rule amendments to review amendments to chapter 90.58 RCW and department guidelines that have occurred since the master program was last amended and determine if local amendments are needed to maintain compliance in accordance with WAC 173-26-090(3)(b)(i); and

WHEREAS, the City of Palouse conducted a formal public comment period in compliance with the requirements of WAC 173-26-104; and

WHEREAS, the Whitman County Shoreline Master Program Coalition published a legal notice in the Whitman County Gazette on January 19, 2023, for a public hearing on the proposed Planning Commission recommendations, 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 Whitman County Planning Commission took public testimony on the proposed Planning Commission recommendations at a public hearing on February 15, 2023; and

WHEREAS, a State Environmental Policy Act (SEPA) environmental checklist was prepared based upon Planning Commission Public Hearing Draft, and County Planner, Alan Thompson, SEPA responsible official issued and circulated a copy of the checklist and a Determination of Nonsignificance (DNS) on January 19, 2023, and

WHEREAS, the Whitman County Planning Commission reviewed the public testimony and written comments on the proposed SMP revisions, and suggested revisions to the proposed amendments; and

WHEREAS, the Whitman County Planning Commission recommended approval of the proposed amendments and forwarded it to each coalition member Council for review and adoption on February 15, 2023; and

WHEREAS, the Whitman County Shoreline Master Program Coalition provided Notice of Intent to Adopt to the Washington State Department of Commerce in accordance with WAC 173-26-100(5); and

WHEREAS, after considering all public comments and evidence, the Palouse City Council determined that the proposed amendments comply with all applicable laws and rules; and

WHEREAS, this completes the City of Palouse's required process for periodic review in accordance with RCW 90.58.080(4) and applicable state guidelines (WAC 173-26).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALOUSE;

Section 1. Review and Evaluation. The City Council hereby finds that the review and evaluation required by RCW 90.58.080(4) have occurred, as described in the recitals above.

Section 2. Revisions. That Shoreline Master Program Periodic Update and maps are hereby amended to read as set forth in Exhibit 1 attached to this ordinance and incorporated herein by this reference.

Section 3. Palouse Municipal Code §11.04.010 and those portions of Ordinance No. 936 which were codified as Palouse Municipal Code §11.04.010 are hereby amended to read as follows:

“11.04.010 - Shoreline Master Plan Adopted. The “City of Palouse Shoreline Master Program,” approved and published by the City Council on June 13, 2023 shown as Exhibit A, which is attached hereto and incorporated herein by reference, three copies of which have been placed on file in the office of the City Clerk/Treasurer, is hereby adopted by this reference as the 2023 City of Palouse Shoreline Master Program and is made part hereof as fully set forth herein.”

Section 4. Adoption. The Council hereby adopts the above referenced SMP revisions and finds the amended SMP consistent with the requirements of RCW 90.58 and WAC 173-26, as they apply to these amendments.

Section 5. Submission to Department of Ecology. The Whitman County Shoreline Master Program Coalition is directed to submit the SMP and associated documents to the Department of Ecology for their review and approval prior to formal adoption. If/Once approved by the Department of Ecology, no further action is necessary for compliance with RCW 90.58.080(4) for the periodic review update due on June 30, 2023.

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Section 6. Effective Date. The amendments to the SMP adopted through Ordinance 1020 shall be effective 14 days after the Department of Ecology's final action as provided by RCW 90.58.090(7).

PASSED by the City Council of the City of Palouse on this 13th day of June 2023.

APPROVED: 
MAYOR

ATTEST: 
CITY ADMINISTRATOR

Approved as to form:

CITY ATTORNEY

Passed:

Published:

Effective date: